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JOURNAL

OF THE

STATISTICAL AND SOCIAL INQUIRY SOCIETY OF IRELAND.

PART LVII. *January, 1881.*

I.—*Address at the Opening of the Thirty-fourth Session of the Statistical and Social Inquiry Society of Ireland.* By E. D. Mapother, M.D., President.

[Read Tuesday, 30th November, 1880.]

It can scarcely be hoped that the address you are about to hear will secure approval for the Council in their choice of President, for it will deal with only one of the three branches into which the business of the Society is divided—namely, public health. Even thus restricted, however, my subject needs no apology. Lord Beaconsfield has pronounced public health to be the first care of the statesman, and in Ireland the topic is a pressing one. My address will, however, lack the brilliant illustrations and large philosophical deductions to which you have been accustomed from this chair, and to be practical or suggestive, must needs tax your patience with dry facts and figures, many of them of a sombre character.

However, I can begin with one subject for congratulation: fifteen years ago it was my duty in this room to show how vastly inferior were the Irish sanitary statutes to those of Great Britain. Then there was no power, no machinery, central or local, to inquire into the causes of disease, no power even to thin out an over-crowded tenement; and the registration of births and deaths had been working with most palpable benefit for twenty-eight years in England, nine in Scotland before it was granted to this part of the United Kingdom. Now, with some trifling exceptions which will be noted by and by, health laws are uniform and likely to become universally imperative, instead of permissive. As some measure of their benefits, I may mention that for the year ending last March, the Local Government Board sanctioned loans for water supply and sewerage to the amount of £292,824. In 1864, according to Hancock's *Judicial Statistics*, there were very few sanitary prosecutions in Ireland—only one each in Clare, Leitrim, King's County, and Fermanagh. Last year they were 6,242 in all

Ireland—including 78 in Clare, 23 in Leitrim, 4 in King's County, and none at all in Fermanagh. Such figures, and the remarkable variety in the number of the reports from medical officers of health with very similar districts, prove that a much closer inspectional system is required; and the same might be more forcibly said as regards supervision of vaccination, which in England is so thoroughly organized.

Last year, out of every thousand in Ireland, 19·6 were reported to have died; but in many districts, especially those sparsely peopled, numerous deaths were not recorded. As in England, speedy registration should be compulsory—no interment being allowed until the undertaker had produced a certificate of the death and its cause. In this way medical aid is secured for infants and aged or infirm persons who might otherwise be neglected, if burial without certification were possible. Persons qualified to discover the causes of death should be alone recognised. In some English counties 7 or 8, and in Wales 11 per cent. of the deaths are not certified. Deaths are closely proportional to density of population; therefore, while last year the rate was in Galway County 16, it was 35 in Dublin. But such urban excess is reducible. For instance, London that well sanitated city, has a third less mortality than that due to it according to congestion of inhabitants. Of our large towns, Sligo had the lowest rate—namely 21; but such figures cannot be fairly compared with those of Dublin. The 17,000 people of Sligo district cover an area of 30,000 acres; our 314,000 occupy but 10,000 acres. Even within the Dublin Registration District similar sources of fallacy arise. For instance, in Blackrock sub-district—for 7,000 persons the acreage is nearly 1,000; in the Coleraine-street sub-district the population is 32,000, the area about 400 acres, or a condensation 12 times greater. The seven Registrar's districts in Dublin do not appear to have been separately surveyed. The death-rate last year appears as 38 in this dense population, 19 in the suburban one, in the crowded parts of which I nevertheless know purlieus as deadly as any about Coleraine-street. Much more might be adduced to show how greatly needed as sanitary and probably political measures are the unification of areas for fiscal, electoral, and registration purposes, and the differentiation of those that are urban and those mainly rural.

These and many other improvements we may expect from the energy of the Registrar-General, and Census Commissioner, who chosen for proven fitness, has already enhanced the value of the weekly returns by giving the occupations of those who died in Dublin, and the rates for 16 Irish towns and 27 foreign cities which I trust he will summarize yearly. The record of burials, which he obtains from cemeteries under the recent Health Act, has raised the calculated death rate about 10 per cent. over that of years when this means of getting at the whole truth was not at work. He has also promoted the Registration Act, which, after the present year, will oblige death registry within five days.

The sanitary state of Dublin has been so fully investigated by the Royal Commissioners and others that I shall only incidentally

refer to it. The diseases are diagnosed and the cures prescribed, if the tax-payers can afford them, or if private benevolence or treasury generosity come to our aid.

The immigration of the short-lived, and the emigration of those with expectancy of long and prosperous lives, affect death-rate in Dublin more than in other Irish and British cities. The deaths of "persons admitted into public institutions from localities outside the district," amounting to over 3 per cent., are subtracted; but those who have been staying a week or two in Dublin give that city as their residence. Railway development has caused this; as, for instance, the decrease of population in Galway city between 1861 and 1871 was over 22 per cent. In 1871, of our population nearly 5 per cent. was from Munster, nearly 3 per cent. from Connaught, while incomers were much less in other cities. Into Belfast there had, for instance, come but one-sixth as many from the south, and one-eleventh as many from the west. Many poor from Connaught who settle in Dublin are old, uneducated, unvaccinated, and in every way unlikely to be healthy citizens. The amazing increase of business along the docks during the last ten years has fixed a great mass of not very long-lived people on a low unhealthy site. Dublin approaches Paris in metropolitan absorption of the sick (often of those incurably so) because of the fame of its hospitals. Last year nearly one-third of the deaths were in public institutions; in Belfast the proportion was about one-sixth. Again, our female population only exceeds the male by 13 per cent., while in many other cities males, who in larger proportion always are mowed down, number far less. The low death-rate of many health-resorts can be thus explained; in Clifton, where the lowest prevails, the female sex count 73 per cent. of the population.

I will be much surprised if the new census does not show that our death-rate has been over-estimated owing to uncalculated population, and that its excess mainly concerns the poor who crowd this in much greater proportion than other towns. Seventeen years ago a most able statistician claimed a reduction of $1\frac{1}{2}$ per 1,000 on the death-rate of provincial cities, compared with that of London, to which the well-to-do classes flock. If the death-rate of a small district in which the poor are few was taken, I feel sure it would be moderate: for instance, the square in the centre of which we now are—bounded by Grafton, Nassau, and Kildare-streets, and Stephen's-green.

A few comments on some groups of preventable diseases and proposals for their abatement, will follow. The infective maladies destroy less proportionally than in England, because of the lesser communication between various places. The greater spread of commerce and prosperity which we hope for will weaken this immunity, and it behoves us to learn to the fullest every way of prevention. Drainage and tillage of the earth has made ague vanish; vaccination has robbed small-pox of most of its terrors; and we are thus buoyed up with the hope that science may forge us weapons against other deadly zymotics.

A pregnant fact has just come from the study of disease in lower

animals—a subject so long neglected in Ireland. (At last, however, an effort is being made to establish a Veterinary College which the National Museum and College of Surgeons can most amply aid.) Sheep and oxen suffer largely from maladies called anthrax, black quarter, splenic apoplexy, etc., and they affect men as well, especially those who sort wool. Their essence is the growth in the blood of organic bodies known as bacteria, and a drop of such blood taken from one animal will spread the disease in another, if put into its vessels. If a sheep or ox be so infected, it usually dies; but a rabbit does not though it gets the disease; and the inoculation with its blood gives the larger animals a mild and modified form with protection from future attacks. Some analogous researches into the “cholera of fowls” are promising good results.

The public attention has been so frequently attracted to the subject of zymotic diseases—small-pox for the past six years, and fever for the present, especially by the eminent physicians commissioned to the west—that I have decided on dwelling more upon other preventable maladies—not to underrate the importance of measures for checking or exterminating them, but that the general low tone of health which augments the number of those prone to catch such diseases, and fall victims to them, is a wider though less noticed topic. The most striking instance of stamping out infective diseases amongst children in recent years is that of Hastings, owing to the energy of Mrs. Johnson. The death rate there is but 14, and the zymotic rate even lower. Regarding our brother-man far away, epidemics will long remain the biggest questions; for example, from April to August in the present year cholera killed 85,000 in Japan.

Catarrhal, rheumatic, and scrofulous diseases, with onslaughts on our lungs, hearts, and bones respectively, afflict Ireland more than most countries. Evidences that they do, why they do, and suggestions for their prevention may for the sake of brevity be grouped together. Of each 1,000 people in England, there fell last year by diseases of the breathing organs, including consumption, 6; of the Irish, 5.42—an enormous rate, considering how out-of-doors our rural people are. It is very desirable that the Registrar-General should give us the yearly deaths by consumption in country towns, and quote those of English cities. In Dublin 3,794 so perished, being 1,200 over the ten years’ average.

Moistness of air, soil, and dwellings is the main promoter of this proneness. Our island is dish-shaped, the sea within sixty miles of any part, many of our rivers want free outlet, and therefore we have scanty trees, and the forests and brushwood of old are swamped in the bogs. Now our planting is only half that of Scotland, a more sparsely peopled country. Interference with the passage of stimulative and oxidising sunlight, lowering of temperature, and checking of skin evaporation are the chief modes in which this pervading dampness heightens our mortality. Of smoke, our atmosphere is far more free than that of English cities and rural districts comparatively. What can be done for those who cannot escape to such high levels as Davos Platz, where more air and drier air must be breathed? Let the Dublin, Mourne, or Kerry mountains become the sites of comfortable

dwellings, while the slower measure of the reclamation of the bogs is being carried out. Nearness to sea, with its concurring dampness does not by itself promote consumption; for instance, the disease is most rare in the island of Lewis, and unknown in that of Mull: both are remarkably indented by the ocean, but both are hilly, the latter strikingly so, and fish forms a large part of the diet. Much the same might be said of our health resorts at Glengarriffe and Glandore bays, which are protected northwards by elevation and open southwards to the warm Gulf-stream.

Proneness to, and endurance of disease are by no means equal with the Saxon and the Celt. Nurtured in the hardy north, and through countless generations fed largely on animal food, the former race has much greater visceral strength, while the southern-bred people still preserve their inheritance of quick brains and active muscles, unless modifying conditions be most unfavourable. The ease with which the Saxon bears change of climate has made him the greatest of colonists; but under happy circumstances of climate and food the Celt has come well to the front, especially in the Australasian and Canadian Colonies. In England there is a much greater infusion of Celtic blood than generally supposed. In Ireland, in 1760, the proportion of Saxon element in the population was estimated as follows:—Connaught, 1-10th; Munster, 1-6th; Leinster, 1-3rd; Ulster, 3-5ths. Now the proportions are much less, and after the coming census they may be guessed by the prevailing religions, or still better by the names of those enumerated.

Emigration has raised the ratio of Celtic females, and as it is by mothers visceral health and disease mainly pass, Ireland's share of scrofula, consumption, or in a word—a hard one—cachectic diseases, may have been thus augmented. Celts and Germans each form about one-fifth of the population of New York. Amongst the former, deaths by consumption are twice as many; by bronchitis, three-fifths more; by Bright's disease, thrice the number. Not drink, nor crowded rooms, nor scantily clothed and unwashed skins, nor unthriftiness, nor ignorance, can be acquitted of having aided and abetted this manslaughter. In that city last year, 105 Irish, 35 Germans, died from intemperance; by suicide, 50 Germans, 11 Irish. Of the total mortality, over 53 per cent. was in tenement houses, containing more than three families, which is there the legal definition of such buildings.

Dampness of soil is the greatest promoter of consumption, and the drainage of several towns Salisbury and Ely, for example, has lowered by half the prevalence of that pest, and in the latter town malarial maladies and typhoid in equal degrees. The progress, too, of the disease has been retarded; for thirty years ago the average length of life of a victim was two years, now it is eight. In 1866 I found in our own city that cholera had almost its exclusive home along obstructed old watercourses and wells. The same was proved in New York in 1872 of diphtheria; and because of this dependency on dampness this is the only zymotic more frequent in the country places than in towns. Catarrhal and rheumatic affections are greatly in excess in Dublin, along such old streams as those in Shaw-street,

Montague-court, Boot-lane, and Wormwood-gate—which are of course at low levels.

Of Dublin, Camden says: “The Irish call it ‘The town on the ford of the hurdles’, for so they think the foundation lies, the ground being soft and quaggy.” In digging for foundations in Castle-street and places further from the present river banks, mud containing marine shells has been freely found, and in other lower levels trunks of trees, placed as piles, tend to show that old Dubliners lived in dwellings, termed crannogs, like those found round lakes in Switzerland and elsewhere in Europe.

The health of our poorer people is lowered in greatest degree by wretchedness of habitation. In 1871 there were in Ireland 155,000 one roomed cabins, with an average of four inmates; this being from 1861, an increase of 66,000, although there was a decrease of houses in general. Such hovels are often pitched regardless of dryness of soil, or means of approach; their clay floors are soaked with organic matter, or hollowed into pools; their roofs are of decomposing straw, or rushes; they are often without back doors, or movable windows for airing; and their chimneys are so ill built that smoke fills the dwellings in windy weather—hence ophthalmia used to be a constant Irish pest, but somehow it has lessened, and the girls have better complexions than the smoked ham tint described by Arthur Young. Sometimes the lower stratum of atmosphere in a cabin is the only one to be breathed; all above are choking. At night the door is closed, and each inmate has about 150 cubic feet of air renewable only through the chimney. If this outlet, which is often made of wicker or reeds, were divided by a vertical partition, the used and the pure air would interchange more freely. Still in many cases the manure heap surrounds the walls.

For the building of decent houses for the small farmers, the Board of Works has lent, since the Act passed in 1860, £252,310 in 446 loans, including for last year £9,725. Under another Act, loans to build lodging-houses and dwellings for labourers amounting to £50,100 were applied for, 437 houses to be erected. There are still many legal discouragements to the building of labourers’ dwellings in rural districts and small towns, and loans are not granted on terms as favorable as for other land improvements; undoubtedly they should be, the more so as such dwellings are eagerly sought for and let at a good profit. That union-rating would mitigate this and many other evils there is most abundant evidence in the *Journals* of our Society. Dublin tenements are too familiar to need description; but they injure their inmates more than country cabins, as they are more occupied by day, and they have lately bred a saddening amount of crime. Their occupiers have been treated with undue leniency, and expedition in the ejection of those grossly ill-conducted is most earnestly to be wished for. Tenements in provincial cities in 1869 were not, and, I fear, are not better. Lord Emly, then our president, described the poor people of the old town part of Limerick as living with one room to a family, and sometimes three or four families in one room.

The Artizans’ Dwellings Act does not give a speedy remedy. In

May, 1876, it was my duty under it to condemn twelve unhealthy areas. One large one, the Coombe, has been cleared by the Corporation who have begun with another, Plunkett-street. This body undertook as much as its finances would justify, while it was remembered that the Boundary Commission was likely to lead to increase of the taxable area, and has not lost a day in forwarding the work. Clarendon Market has been in great part cleared, and Boyne-street area has of itself fallen into utter ruin. Many of the others are more unhealthy than when condemned four and a half years ago. Next March the Corporation becomes owner in fee of a large district between Church-street and the Royal Barracks, and already plans for street improvements and artisans' houses are matured. In his recent charge to the Grand Jury the Recorder has forcibly stated the four things required: (1) Revaluation of the city, (2) Government loans, (3) Co-operation of the contiguous townships, and (4) Private enterprise as in Glasgow. What money has done in ten years in Liverpool and Glasgow it could do in Dublin. It could decently house the people, and lower by one fourth death-rate, sickness, pauperism, drunkenness, and vice. But a great public spirit must arise, a public spirit not amongst talkers only, but amongst those who will bear enormous taxation, or like Dargan, the Guinnesses, or Roe, act munificently for objects even more humane than those which moved these philanthropists. In Liverpool many of those who pined in dark fetid courts now live in suburban cottages, and reach their work by penny trains.

Glasgow under a special Act—which, as its citizens may proudly remember, passed unopposed—has spent £1,250,000 derived from taxes for fifteen years. This period expires next May, when a further five years assessment will be sought. The general death-rate has been lowered 6 per 1,000, and that of children under five years, 28 per 1,000, and fever lessens year by year. The two last are true tests of increasing salubrity. The Public Health Act legalises the union of districts for the purpose of supplying artisans' dwellings, and it is manifestly just that such rich contiguous townships as Rathmines and Pembroke should, with this view at least, join Dublin, from which they employ but never house their working people. The sections of the Public Health Act regulating new buildings do not affect country cottages; but it may be hoped that concrete, slates, large moveable sashes, and other civilized appliances will come into general use. These sections, however, empower the 42 urban authorities to insist on damp-proof foundations, by the use of asphalt or glazed brick, with ventilation under the ground flooring. The Artizan's Dwellings Act, 1875, only applies to Dublin, Belfast, Cork, Limerick, Derry, and Waterford; but in smaller towns houses for the working-classes are very scanty and dear. In no place but London does it empower the Corporation to build houses on the areas, and the sale of them when cleared has been found most difficult in many towns. In new tenements and in the old when the new are built, the minimum cubic space ought to be raised from 300 feet to 500 for adults, 300 for children, as in London. A single small room could not then be a family dwelling. The

power to prevent overcrowding should be clearly extended to tenements held by one family only. In Dublin, stables and small houses built in the yards behind large ones, have become most unhealthy abodes for the poor.

Suburban cottages for artisans are far safer than city tenements. No less remarkable a person than Queen Elizabeth condemned the latter. In 1580 her words were :

“Great multitudes of poor people inhabiting small rooms, being therein heaped together and in a sort smothered in one house : if plague or sickness came amongst them it would presently spread through the whole city and confines.”

In Dublin, and still more in our country towns, there is a want of decent, airy, night refuges, where travellers may for a few pence, or even if they are penniless, get shelter and quiet for the weary hours. Certain of our council could tell how ill-provided is this city with refuges for males of the latter class. It seems a want, that Public Health Acts do not allow town councils to build and maintain cheap and free night asylums—something like the Casual Wards in England. As did the betaghs of ancient Ireland, ill-kept, crowded night rests are sure to spread fever. Canal boats are often still more stifling—80 cubic feet being the average space per head, and they should be treated by our sanitary authorities as nuisances.

The health giving influence of abundant air, dry and equally heated, is best exemplified in modern prisons whose inmates suffer a death-rate of about one-fifth that raging in the slums they come from. A hundred ago, when Howard began his crusade, prisons were pest houses ; now they are the norma for sanitarians to point to ; but luckily there still is much to remind the prisoner that it is better to be honest than criminal.

A truly noble Dublin benefactor has given a splendid park for the people on the south side ; on the north and the central districts lungs in the form of promenades or play-grounds to take the children from the streets and lanes are sadly wanting. The making of paths through disused grave-yards—for instance those of St. Mary's, St. Michan's, and St. Paul's—the clearing of ruined spaces such as that north of Audeon's-arch, that south of Wood-quay, that around Cole's-lane, or that between Cannon-street and Bull-alley, would be cheap and most useful measures. The space at Schoolhouse-lane, High-street, was offered last month by the Corporation by auction, but there was no bidder. In this most densely peopled district a fair play-ground or at least a ball alley could be made. In our small country towns there are scarcely any opportunities for athletic recreations—those means for quickening and systematizing our muscles, those foes of drunkenness and discontent. There is no reason why tennis should be restricted to the richer lads and lasses. Dr. Richardson wisely says :

“All recreations which bring together the young of both sexes are doubly useful, imparting courage and strength to women, and gentleness and strength to men.”

If the Temple Gardens were freely opened, and passenger vehicles

were allowed to pass by daytime from Henrietta-street to the Broadstone and Church-street gates, enormous public convenience would ensue, with very slight disturbance to those who congregate there.

If we can ever afford to fully work the Artizans' Dwellings Act, scores of good thoroughfares will replace crooked and ruinous lanes.

Nine years ago Dr. Hancock attacked one great impediment which yet is not removed:—

“The great causes of waste spaces in towns and ruined houses is defective title. Local authorities ought to be enabled to stop this evil, which diminishes the property liable to local taxes, and increases the cost of all town arrangements, by lengthening unnecessarily streets, street-pipes, gas, etc. Let the local authority, after twelve months' notice, be enabled to sell such premises, take photographs of existing state, and invest money. The complications of title would be transferred to the photographs and invested tenancy, and the unoccupied or ruined premises would be sold with absolute title, to a building society for artizans' and labourers' dwellings.”

So many are the palpable improvements, and yet so intricate the obstructions, that enthusiastic Dubliners may well sigh for another Baron Hausmann, who rebuilt one-third of Paris in some fifteen years.

The food of our humbler people is bad from want or waste of money to buy it, and in greater degrees from faults of distribution and preparation. Passing by periods of acute distress, like that which the goodness of Providence and the generosity of our fellow-men has just alleviated, Ireland is always in a state of chronic poverty. But recurring famines will directly and hereditarily lower the physique and morale of any race. In 1840, Thomas Carlyle, characterised our peasants as “mud-housed, rag-clad, potato-fed.” To them at present the latter epithets do not apply, and all our efforts should be aimed towards the bettering of dwellings. Just as fierce winters check wood growth in our forests, famine keeps up mortality for years after plenty has succeeded: thus the deaths were three times as many in the third year after that of 1845-'6-'7, as the third year before it.

Since Strabo called us “poephagi,” herb-eaters, our peasant's food has been too bulky and innutritious. The teeth in ancient Irish skulls are worn like those of horses, and more bronze sickles are said to have been found in Ireland than in all the rest of Europe. In the famines of 1822 and 1846 wood sorrel and other wild plants were resorted to. Some eight or ten centuries ago, however, animal food aided largely the physical prowess, and the mental eminence of the Irish, for then the flesh of the game they hunted and butter were plentifully used.

Just one hundred years ago, Arthur Young described the “potato bowl placed on the floor, the whole family around it devouring quantities almost incredible, the beggar seating himself to it with a hearty welcome.” In 1866, as the result of 2,000 inquiries, Dr. Cameron estimated the daily food of the southern and western peasant, as 14lbs. of potatoes, 48ozs. of buttermilk. It is hard to believe, yet it is true, that the boiling of this staple food is badly done in Ireland—turnip-like, water-logged, they are often served to us; dry, mealy, almost feathery, in other culinary “better lands.” In 1864

Dr. E. Smith, who was commissioned by government, reported that the weekly consumption by the Irish farm labourer, and of his English fellow, was in ounces :

	Irish.		English.	
Bread-stuffs,	...	326	...	196
Potatoes,	...	92	...	96
Meat,	...	4.5	...	16
Milk,	...	135	...	32
Fats,	...	1.3	...	5.5

This return was then erroneous and is now trebly so, as regards potatoes and milk. Englishmen per head consume thrice as much meat as either Irishmen or their brother Celts in France. Stirabout of Indian meal, boiled twenty minutes, soda cakes badly made at home, and white bread from the next town, now largely feed the peasants.

So notorious has the waste caused by stripping off the outer and most nutritive layers of the wheat grain become, that a society has been formed in London for promoting a sounder mode of milling. The supply of milk being most scanty, tea is taken instead, and dripping is occasionally and bacon rarely added. This want of fat in the dietary promotes consumption and scrofulous diseases. If the fat called "butterine" be sold as such, and if it be cooked, it would be a most useful addition to the diet of the poor. The cheap bacon from America has done much good. Few cottiers have a cow, and those richer are too proud to sell the milk, or they live too far off. An increase in the rearing of goats, which were most plenty in Arthur Young's time, would be very beneficial. The dietary of our poor town population is largely made up of white bread and tea. This drink is agreeable and invigorating; but in excess it is depressing, and as it is usually boiled very astringent, and being a dear food the money wasted on it would buy meat and vegetables. The fashion among the rich of afternoon tea, no food for several hours previously having been taken, is equally pernicious. The dyspeptic and nervous females who crowd our dispensaries or the studies of fashionable physicians thus err in diet. If pea-soup or gruel were substituted by peasants at one meal at least, much good would result. The former is truly valued in Scotland, and the latter has been given to gas and railway stokers, and has proved itself a most nourishing and quickly restorative food. Of vegetables neither rich nor poor in Dublin have a steady supply, mainly because the market is ill kept and remote, and growers do not get the encouragement of fair proportion of the high prices which the consumer has to pay. In winter symptoms of scurvy are quite common amongst the poor, and the rich do not get the choice vegetables for a month after they are cheap at Covent Garden.

In no country is a knowledge of cookery less diffused than in Ireland; but the subject is now being taught in some of the Model and Industrial Schools. South Kensington has sent out one hundred and seventy qualified teachers; and Mrs. Jellicoe, amongst other works, did something for the movement in Dublin. Soup kitchens and public ovens have done immense service amongst the working people of Liverpool, and could be made popular here perhaps in con-

junction with our coffee taverns. Owing to economy of fuel and wholesale purchase, soup made from ox-head or sheep-head and fresh vegetables is sold at 2d. or 3d. a quart. This, or a meat stew cooked for a penny, the thrifty wife will carry hot to wherever her husband is working in and about many English towns. Irish labourers, especially the agricultural, when working far from home, have too often to dine off cold unsavoury food—even cold potatoes alone. Where several are working together, a mess system should be established, as both comfort and economy would result for employed and employer—good food always ensuring honest work. The meals of some hundreds of men employed in the tramways are taken under most uncomfortable conditions—carried from their homes, and eaten in the six or seven minutes between the times of arrival and departure. Surely between twelve and two o'clock, when traffic is slack, such arrangements might be made as would give twenty minutes to each for dinner, and provide it in or near the depots at about sixpence a head. Their hours of work average thirteen without break. The dietary of railway employees is a still more pressing question. Contracting out of meal time should not be allowed.

I need not touch the great subject of intemperance, for it is daily brought before us. Death registration is not old enough with us to test if a most lamentable fact, which has been lately made out in England, applies to Ireland. It is that whilst the mortalities of other ages are greatly decreasing, that of males from 35 to 65 is increasing, by those causes of death which alcohol is capable of producing. The best friend to temperance in cities is the workman's club. In that established this year in Christ Church-place there are facilities at least free enough for getting drink; yet by encouraging the sale of food at the same time, and by prohibiting treating and drinking by rounds (the ruinous habits of public houses and many bars), excess is avoided. At the end of June a most satisfactory report for the first half year was presented in this most exemplary institution, which Dublin owes to the zeal of Miss L'Estrange. The Club in York-street on temperance principles has been also most successful.

Two measures have been just adopted in Dublin from which innumerable benefits will accrue—the registration of dairies, and the restriction of the slaughtering of animals to one place. It is now certain that typhoid and scarlatina are in great degree propagated by impurities in milk, and that its dilution or bad quality is responsible for much mortality and enfeeblement of health among infants. Cleanliness and the use of untainted water will be secured for the future in our dairies. Instead of some 100 slaughter-houses, placed in such closely peopled districts that their sights could not fail to debase the young, and so small and ill constructed that the earth all around became soaked with organic matter, we shall have a great abattoir in which every modern scientific appliance will be used to kill the animals with the least pain, and to utilise every possible produce. If the cattle for the English markets were slaughtered here, and the meat shipped, great economy would result. The less valuable parts would be available for the poor, and the hides profitably manufactured—for tanning is one of the few trades still thriving

with us. Similar advantages would follow if beasts were slaughtered in provincial towns, and sent to Dublin by rail. The rates, however, should be lowered, as at present the legs of the living beasts competing, the charges are far greater for carcases than cattle.

Dublin excels her provincial sisters in one sanitary point at least—namely water supply, and that in amount, distribution, and quality. For this reason, and because of the amazing perseverance, despite of honest but mistaken opposition, the memory of its originator, Sir John Gray, whom I proudly claim to have been a member of my profession, is justly and gratefully esteemed by all classes. It is even more copious than he estimated, and is ready to feed, flush, and wash a contiguous township, which, however, last week refused to receive it by the election of representatives pledged against it.

The Irish Act of 1717, which specially guarded Dublin, ordained that the spouts which then jetted the rain from the roofs to the middle of the street, should go down the walls to near the ground. Now-a-days they should join the sewers, to flush and ventilate them, and leave the pathways dry. That Act very wisely provided that as many children were killed in the street, all draymen should lead their horses.

It has been recently urged that the dampness of our soil, houses, and atmosphere, has been increased by the spilling of this plentiful water, and the non-removal of that formerly drawn at wells. If this be so, the extension of pipes into tenements would not be desirable. The subsoil saturation, however, will lessen as main drains are constructed. In order that staunchness may be secured, and that admixture may be impossible, the day may come when our pipes for water, gas, and sewage will be above ground. At any rate the supply should be uncontaminable and constant. Many appliances have been modelled after the wondrous structure of the body of man, and the current through his house may be likened to the circulation: there should be arteries to bring in the water, capillaries to spread it, and veins, or waste pipes, to remove it when fouled. Several towns are taking steps to get good water in plenty under the recent Act. Sligo, for instance, is seeking a loan of £30,000, after about half that sum had been wasted in fruitless litigation before Lords' and Commons' Committees, under the faulty Private Bill System.

A few instances of impurities disclosed by Dr. Cameron's analyses will show how much need there is for the extension of water works. In Waterford, where now a safe supply is being procured, the water of one pump held, per gallon, 10 grains of nitric acid; of another, 13 chlorine, 4 ammonia, and 3 nitric acid—all these things giving evidence of dangerous pollution. A third water there had 385 grains of solids, or more than many sewages contain. The pump water from Rock-street, Tralee, had 201 grains of solids, and that from a well in Dalkey had 22 grains of organic matter. During the present summer, many registrars reported dangerous deficiencies; for instance, in Goleen and Crookhaven "there are no pumps, and the wells would disgrace Zululand;" and Ballinahinch (once a famous spa) depends mainly on water carried by donkeys. Relief was urged three

years ago but is not yet granted. Such populous places as Fermoy, Ballina, and Mullingar have unsafe supplies, and Kilkenny, Carlow, and Banbridge wells only. There is no evidence that a soft water like the Vartry or Loch Katrine is unwholesome. Our sailors now largely drink distilled water, and on board some of H. M. ships twenty tons of such water can be taken from the ocean daily. The lime soft water wants is supplied in many foods; hard water, on the contrary, is a prolific cause of dyspepsia and other diseases.

Excelling nearly every city in water supply, we fall far below par in respect to baths; for instance, there is not one where swimming is taught. There are dozens in London, where children learn the art in a few lessons. Warm baths are few and distant from many populous districts; but I must confess the few are not fully used. But let us hope our people will learn better. The baths at Usher's Island have been for thirty years most perseveringly kept, and are now to be placed under public control. The Bath Act of 1878 mainly refers to cheap cold baths in summer, which owing to our nearness to the sea are scarcely wanted here. It forbids the use of the building during winter for music or dancing.

Mortality of infants occupies a large share of the attention of sanitarians, because it is excessive although more within control than that of adults. The most ignorant will often help for the bettering of child life, while obtusely careless of their own. The standard to be hoped for is that of 1,000 babes born, 900 shall be alive at end of first year; at fifth, 860; and at fifteenth, 830. The proportions in various countries are as follows:—

Number of yearly deaths out of each thousand.			
		Under One year of age.	Under Five years of age.
Ireland,	...	102	36
Sweden,	...	141	51
England,	...	182	67
France,	...	223	79
Italy,	...	273	113
Upper Bavaria,	...	424	141

If registration be fairly accurate, these figures declare much for motherly care in our poor land. All the rest of the world is beaten by Utah, where the deaths under 5 years are 75 per cent. of the entire number of deaths.

These are averages of town and country, the rates being a third higher in the former, as density and poverty of population always hold a steady ratio with the death rates of infants, a statement for which so ancient and respectable an authority as Adam Smith may be quoted. He dwells on the early marriages of the poor, the quick deaths of their children, and the quickly following succession of births to yield the same harvest. In Dublin last year the deaths of infants under one year were 195 per 1,000 of those born; and the death-rate of those under five years was 109, an enormous increase on the ten year average.

✱ The main diseases to which the deaths of infants under one year are attributed are convulsions and diarrhoea. The former is not a

well defined term; but the causes which lead to deaths recorded under that head are palpable. To scanty and spoiled cows' milk, or stuff that goes by that name, one half are due. At dairy yards in winter, and distant fields in summer, it is procured from several cows which have calved at various periods. By dilution with water, infants are too often robbed of one-third their intended nourishment, in the case of the Mountmellick Workhouse some years ago, of two thirds; but if the added water be impure it becomes veritable poison. In this city and many others, the spread of typhoid fever by special milk supplies has been incontestably proven. Kept for hours in the shops, or in the close rooms of the poor, it absorbs organic germs, and such spoiled milk irritates rather than supplies the digestive organs. Diarrhœa, or a reflected shock on the nervous system ensues, often with fatal issue.

The total exclusion of dairy cows from cities, and scrupulous cleanliness, would be possible and potent remedies. Vessels or carboys made of clearer glass than those used for sulphuric acid, with ground stoppers and placed in basket work, would be most desirable means of carriage. A certain number of the cows could be milked at various hours, so as to give four times daily a fresh supply. Milk taverns, with the points just noted assured, would offer a most profitable field for benevolence, if not profit. The municipal hospitals of Paris are just now trying a series of great experiments on the provision of fresh milk from various animals, at different stages in the feeding of infants. Cocoa is one of the best substitutes for milk amongst the poor at every period of life. It must always be remembered that the starchy part of any of the foods from cereal grains cannot be digested by the saliva of young infants.

Day-nurseries are also most desirable, the limits of ages being from nine months to five years. Before the first period, no inducement for giving up the natural maternal support should be held out, and after the latter, school should assert its sway. Most thorough inspection of the mother's circumstances should precede the admission of any child; she should be relieved of the charge of the child for the free use of working hours only—say eight to six, and not that the time be spent in idleness or worse. Elder children should then be free for school: Sunday should be, of course, a closed day. To prevent such a child-rearing system becoming a training into pauperism, private and not state charity should supply the funds, and it should not become a home or orphanage of any kind. Such places, called with holy thought *crèches*, are general in France and Belgium, and some American districts. In Glasgow a small one accommodates twenty children from seven to seven daily—a charge of threepence being made, which includes suitable food. Each day at entry a bath and the wear of special clothing is insisted on, and at one o'clock the mothers may visit. On fine days exercise on foot or in perambulators is arranged. The expenses are £120 yearly—of which the threepennies make up £45. There should be a daily medical visit to catch at the start any infective case. Although in Dublin infant schools provide for many, and the infrequent employment of married women lessens the need, benevolence has a fair field in the

establishment of such crèches. In Belfast they are imperatively required, the mortality of the infants of factory operatives being thrice that of the well-to-do mothers. In this city dress-making, book-binding, and laundry work are now the only extensive female handicrafts. The industries of the North appear to be also failing, for there were 1,500 scutch mills in 1869, 300 less last year; but the survivors are, let us hope, the largest and the fittest.

In the United Kingdom 1,500 children yearly are killed by burns suffered while mothers are out, and 300 in London are destroyed by overlying or suffocation in bed. For the prevention of the latter fatality, if separate sleeping places cannot be spared, the *arcuccio* of Florence, a wicker-work, like that with which we protect a broken leg in hospitals, is cheap and effectual.

Amongst infants nursed, great mortality occurs—owing, sad it is to say, from the scanty food; shocking it is to say, from the intemperance of their mothers. Married women who work in factories should always have the benefit of the Mulhouse system—namely absence for the two months following the birth of a child, and for the subsequent seven months two hours leave at mid-day.

After five years are reached, comes school life, with play, books, and handiwork well mingled. From this age till fifteen the yearly growth should be about two and a-half inches, the gain in weight being two pounds per inch, from three to four feet, and two and a-half pounds from four to five. Any wide departure from these standards denotes danger.

At mental diseases our glance cannot be as gloomy as it has been at those corporeal. In our asylums, skilled residents, independent physicians, and inspectors afford every care, and by recreation and literary and industrial occupation in turns great curative influence is exerted. Still there are over 3,000 lunatics and imbeciles uncared for. Without multiplication or enlargement of asylums, much accommodation and economy of attendance may be secured by lessening the single room system, as suggested in this Society by Dr. Lalor. Further, the Inquiry Commissioners of 1878 suggest the transference of the incurable and harmless to the workhouses, so that the asylums would be still more available for the cure and training of those susceptible of it. Lastly, the Lord Chancellor's Bill proposed the boarding-out of harmless lunatics, or aid for their support to relatives, which would increase the state contributions for such purposes by £25,000 yearly. The boarding-out system has worked well in Belgium for centuries, and in Scotland is constantly and strongly praised by Dr. Mitchell of the Lunacy Board. When Dean Swift founded St. Patrick's Hospital he thought all Ireland could not offer patients to fill it; now there are 12,819 persons in public and private asylums—a proportion nearly one-fourth greater than in England, according to respective populations. Emigration of the sane—the afflicted being left behind—fairly explains this excess.

Inquests in various towns in Ireland are held in strikingly different proportions of the deaths: namely, Belfast, 1-57th; Dublin, 1-46th; Galway, 1-32nd; Limerick, 1-28th; Cork, 1-23rd; Derry and Waterford, 1-22nd; and Sligo, 1-13th. The proportions of these

investigated deaths which are violent also vary remarkably: Dublin, 4-5ths; Belfast, 2-3rds; Limerick, Galway, and Sligo, 2-5ths; Cork and Waterford, 1-4th; and Derry, 1-5th. In all England the proportion is 2-3rds, and in London 5-8ths. In some of our towns the coroners must be far more active than their brethren, or suspicious deaths are sadly numerous. Violent deaths out of every million living are—in England, 745; New York, 730; Prussia, 486; and in the most sober nation, France, 268. In Dublin last year the ratio was 660.

The system for the cure of the sick poor in Ireland under the Act of 1851 excels that of any country in the world. Up to that year it had been inferior to that of most of them, for example in 1836 the County of Mayo had but one dispensary. Still there are desiderata, if our wishes can be realized within the fair limits set by cost and expediency. The establishment in small towns of hospitals with even four beds would amazingly check infection, and save many a jeopardized life, when carriage even by proper vehicles, instead of the dangerous ones often in use, to a workhouse hospital or county infirmary, should prove fatal. Cottage hospitals in England, although a recent innovation, are already a proven success. The supply of drugs could be made cheap and reliable, if it be not against the principles of political economy to take it from the smaller traders, and the purchasing guardians with “lowest tender” leanings by placing it in the hands of a trained buyer and analyst at a central depot. Or it has been suggested that the drugs should be bought, not by contract but at a reduction on the monthly lists of prices. There is reason for believing that one-third of the drugs supplied to workhouse and dispensary patients is not pure and effective.

Above all, the bettering of the condition of the Dispensary doctor is to be wished for. The provision of suitable residences for those who live in remote districts, under Colonel Bruen’s Act of last year, has been availed of in only two instances. Many well able to pay, claim the doctor’s gratuitous services, and the only fit remedy is for the committee to make a list yearly or half-yearly of those houses whose inmates are suitable for relief. The right of pension on the groundsof length of service or proven ill health, as in the case of other civil servants, should be conceded, as several instances of grossly harsh refusals have arisen. All unions in which the officer had served should contribute, and the State should in all justice pay the same proportion towards the maintenance of the worked out, which it does to the working doctor. That it does not, is the cause of many a septuagenarian being kept in very galling harness.

Honorary distinctions are not yet destined for those who fight diseases in civil life; but if time allowed I could cite many acts of heroism, and many lives devoted to the good of their fellow-men in the civil medical service, which cannot boast of a single State decoration.

Dispensary medical officers are usually chosen for local, personal, and other reasons, quite apart from professional fitness. I confess that the last-named and only justifiable element is hard to prove, for plenty of testimonials are often handed in by the least deserving.

Service in hospitals, high-class diplomas, especially of those colleges where order of merit is recorded, prove respective fitness very reliably ; and that, two years before the needed age of twenty-three is reached. Doctors win army and navy positions, which are far more desirable, at twenty-one years ; why must they spend two years more, perhaps idly at home, before they get dispensaries ?

It has been often urged that poor-law physiciancies should be given by competitive examination as those of the army and navy are. The services differ most widely ; for in the last named all the selected attain equal advantage in regard to pay, and they follow a moving population. While one dispensary doctor may settle in a large and poor district in which severe labour earns £150 yearly, another may at once obtain a small but well-to-do *clientèle*, where one third the work will gain three times the income. As three qualifying examinations must be already passed, none further is needed to test efficiency ; but a half-yearly competition under the Local Government Board would establish a roll of merit. From such a roll vacancies, as they occur might be filled, the probationers meanwhile acting as assistant officers to workhouses, many of which are now undermanned. There are many difficulties, however, in the working of such a system ; for instance, it would be lamentable that a brilliant man should be wasted on a dismal western district ; and promotion for high marks or good service from one district to another would imply the severance of social and confidential ties which quickly bind together the doctor and his patients.

Union hospitals have undergone even a greater change than dispensaries. During the first four months of 1847 there were in that of Cork 2,130 deaths, and that maladministration shared with famine and fever the responsibility will be acknowledged when it appears that in the convalescent ward there were but 44 beds for 125 patients. At the present day many of them are so well officered and so full of instructive cases that students can with advantage attend them. In Dublin the sick and maimed poor have abundant hospital accommodation in the ten educational and the many special institutions. Such distribution brings relief near to the sufferer, and the necessary subdivision of the opportunities for study could be easily met by every two or three of them forming common classes. Medical opinion has not weight enough in the governing boards ; but this is likely to be righted when the loss of a medical school with us and a series of disasters in a London hospital come to be calmly judged by the subscribing public. The Corporation, which grants £4,600 yearly to our hospitals, has wisely urged the establishment of observation wards, wherein cases with suspected infectiveness could be isolated. We have likewise the special advantage of two large refuges where the incurable may end their earthly sorrows in peace, and two Convalescent Homes, which speed the recovery of the breadwinner in a way impossible in town hospitals. The large bequest of Mr. M. B. Mullins, once an apprentice of the great surgeon Sir W. Lawrence, has largely aided the Blackrock Home. The day will come when sea-bathing infirmaries and mountain sanatoria will prove economical of the health and strength of our race, and even of the taxes.

Last year Mrs. M. J. O'Connell gave us proof of the undue prevalence of scrofula and the deformities and disabilities it causes in Ireland, and forcibly urged the establishment of special institutions for treating such cases. In Dublin special hospitals eye and ear cases are paid for by the unions they come from, and the same system might be fairly extended to patients whose bones, joints, or skin are the seats of scrofulous diseases. In Cork Union, 650 children have been boarded out since 1862, of whom died but the amazingly small number of 20.

This address labours under the disadvantage of coming nine years after the census, the great social survey which must form the basis of all sanitary calculations. The United Kingdom, and I think I may say, the Western Isle of it especially, takes the lead in the methods of enumerating the population and its conditions. For instance, in the United States, owing to their faulty electoral system, and diverse wishes of the people of each state, no papers are issued beforehand, and the collection of data goes on for three months. Under the law, however, by which the census is being taken, party selection of officers is forbidden. Ours will be, it is to be hoped, as similar as possible in every part of the United Kingdom, after the lines drawn by the illustrious Dr. Farr. The science of vital statistics may be considered to have arisen from the paper in the Royal Society on the births in London from 1629 to 1710, by Dr. Arbuthnot. It was to this great and good man Pope wrote: "You are fitter to live or to die than any man I know." As England was the pioneer in vital statistics and hygiene, so is she now the nation where these sciences are most successfully cultivated.

I feel sure the Registrar-General and the other Census Commissioner will pardon me if I express the hope that the information shall be very full as regards birth-places of all, and the date of immigration of those who come from rural to urban districts. So migratory are the Irish that as far back as 1848 Dr. Hancock told us that one-third of the residents of Dublin City were born outside of Dublin County. Death-rates may be lowered or raised according to the healthiness of the incomers. It will be possible to learn in every household the numbers (if any) of children born, still-born, or dead—and if so by what diseases, and at what ages, and if each member of it living has been vaccinated or revaccinated.

As regards ages of adults, the truth might be better gleaned by noting the year of birth rather than the years reached. Every week in St. Vincent's Hospital I meet dozens of substractions of ages—few of them wilful. Waterloo, the visit of George IV., the cholera epidemics, the great famine, the visits of the Queen, are epochs which will jog the memories or traditions of many who from many various motives would shrink at putting down their present age. For those who desired privacy, the returns might be sent direct under a three-penny stamp. The two orders in the agricultural class heretofore have been (1) persons possessing and working the land and employed in growing grain, fruits, grasses, animals, and other products; and (2) persons engaged about animals.

It is very desirable that we shall have the agricultural population most clearly distinguished as herds and husbandmen, as we have the acres grazed and those tilled, in order to let it appear how far the food-producing and man-supporting powers of our land are utilized. The social circumstances of such a county as Meath, where those who rent the land send from it only grass-fed cattle, while with money, often borrowed, they buy every necessary—bread, butter, bacon, frieze, etc., should be contrasted with counties which are really agricultural. In the United States just now, they are working at the enumeration of special industries, diverse as those of tobacco, fisheries, forestry, and lumbering, the transport of meat, and a dozen others, by special commissioners of proven ability as experts in each branch.

The last census was taken 2nd April, 1871, and on 14th June following several data were issued in a printed paper. I may therefore express the hope that the main figures may be analyzed in time for publication in Thom's Directory for 1882, as that great book is now a universal reference. I feel proud to say that the first money I ever earned was for giving aid—very humble though it was—to the compilation of that work for 1849.

So great an authority as Dr. Lyon Playfair tells us that "Till we have a system of disease registration, public health cannot be administered with a full intelligence." This is strikingly true of catching diseases, the spread of which might be greatly checked if each case was known to the preventive authorities the moment it arose, and before it had time to spread by children going to school, by clothing sent home by the laundress or dressmaker, and other ways. Our Lord Mayor last week, after receiving a deputation of medical men urging the notification of infective diseases, wisely suggested that a general Bill for Ireland should be sought, with power to have it applied to any town. Many British towns have adopted such a system—in most of them, the head of the family, as is fit, being the informant, getting, as is now the almost universal practice in case of death, the certificate from the medical man. However, the Aberdeen Town Council are promoting a Bill to give the doctors a fee of 2s. 6d. for each infective case reported, or to fine him 40s. for each such case he neglects to notify. But such a lapse on the doctor's part would be impossible to prove. In Edinburgh a like fee produced £600 in the first six months, and the public were most fully satisfied, although the health officer may call to verify the doctor's opinion, and no concealment of diseases has arisen as might have been dreaded. It is often urged that such notification might cause a house of business to be deserted; but it would be only announced to the sanitary authority, and at present if the case prove fatal it is known to them on the registration of death. What is now done in case of death would henceforth be done in every case of infective disease, namely, an offer of complete disinfection, which those who could afford it might do for themselves. If notification were only compulsory from houses containing more than one family or under £10 valuation, there would be safety, as the inmates of other dwellings ought to be able to protect themselves. The two most striking instances of the spread of contagion in Dublin, owing to want of

notification, were the first case of cholera in 1866, at 22 City-quay, and several cases of small-pox in Malpas-street, in 1877—which being concealed spread these diseases so lamentably. There would be no difficulty in disease-registration in dispensaries, workhouses, and other institutions aided by the state, if an accurate and uniform classification were arranged, for want of which much labour at present is lost. The nomenclature of disease is being revised by the London College of Physicians and a committee from the United States, so that uniformity will be secured.

The cheapest and most practicable, and a very potent remedy for the low tone of health of our poorer people is the spread of a knowledge of the functions of the human body, and the means of keeping them in order. Ten years ago a humble effort of mine towards this object was recognized by the Commissioners of National Education, and a little manual circulated at half price among their teachers only. Every pupil, however, from ten or twelve years of age should be taught the subject, and if needed I will gladly try to make the book more suitable or withdraw it in favor of any other more intelligible. Our peasantry are closely bound in family affection, and will value information likely to protect those dear to them. That they break the laws of hygiene in regard to houses, food, and cleanliness, is sadly evident, and that they often learn no better in their foreign homes, also appears from even the facts to-night submitted to you. To those I may add that in American cities death-rates are in direct ratio to illiteracy, and illiteracy to Irish element of the population.

A letter from Professor Sayre of New York, dated the 16th of last month, tells me many facts about the Irish, Welsh, and German living in a vast colliery district in Pennsylvania. All started on like conditions ; but the greatest watchfulness is needed to keep our countrymen in health. The air in their houses is constantly foul owing to closed doors, fixed windows, and general want of cleanliness and diphtheria, scarlatina, and measles prevail much more among their children, than among those of other nationalities. Since 1864, when the leaders of the medical profession memorialized Lord Granville, then President of Council, to promote the teaching of physiology and health, many efforts with that view have been made. One of the most effective was the publication of tracts by the Ladies Sanitary Association, of which Mrs. Cowper, now Lady Mount-Temple, was President.

There should be also means for acquiring special sanitary knowledge, for now it is most difficult to get men with any practical information to act as inspectors of nuisances and constructors of sewers in provincial districts. In many small American towns the people employ consulting engineers, to test in every particular, and frequently the soundness of their houses. The benefits which have ensued from a like system at Edinburgh were fully shown at the late Social Science Congress. The meeting of that body next year in Dublin will do much towards advancing and popularizing Sanitary Science. Such great authorities as Lords Derby, Shaftesbury, and Mount-Temple, Dr. Farr, Sir J. Simpson, Dr. Playfair, and Mr. Chadwick, have presided over its health section. Another great

educator, St. John's Ambulance Association, for giving first aid to the injured, has been lately established amongst us. Enlightenment in physiology and sanitary science will banish quackery and the belief in nostrums. Meanwhile, patent medicines should no longer be patronized by government, as much harm is done by their delusive nature—in some instances leading to no real effort for cure, and by their misappliance in others. No reputable medical man would seek profit by keeping secret anything for the good of his kind, and these remedies can be easily reproduced as analysis reveals their composition. This and other more offensive forms of quackery must pay in Ireland, as the country papers often fill a fourth of their space with their advertisements, and because our people are so ignorant of the structure of their bodies. As regards patent medicines they are ahead of us in Japan, where samples must be yearly sent for analysis. Last year 148,000 such were presented, and a large proportion were prohibited from sale, as useless by inertness or dangerous by ill-aimed or rather unaimed activity.

Towards the end of every parliamentary session, cabinet pronouncements, or finally the Queen's speech, confess to the abandonment of proposed subjects. If small things may be compared with great, I venture to say something of the kind has occurred to me. I anxiously thought over and annotated the circumstances of the few handicrafts which employ our people, the possible increase of those which workhouse occupants should follow, the want of saving habits in trades with inconstant employment, and the scantiness of warm clothing which Sir J. Lentaigue so fully urges in his last Industrial Schools Report. Poverty excuses every breach of health laws as regards dress; but how will the rich account for lapses of good sense, good taste, good economy, into which they are driven by the freaks of fashion? Then occurred to me the desirability of the extension of the Post Office Assurance system to the granting of weekly stipends in cases where the assured was sick or maimed. The comparative adoption of that Act in England and Ireland is not encouraging; for of the 6,237 insurances effected since 1865, 447 only have been in Ireland, where the inconveniences of the benefit societies are so universally felt. Incorrect entry of age, the wrongful assigning of Dublin as death place (a necessary item in some cases), the delay, trouble and expense of getting the money from English offices, such waste in salaries that a canvasser is paid fifteen shillings weekly if he brings in twenty-four penny subscriptions, and the shakiness which may be fairly judged of by the fact that over 10,000 friendly societies failed in the ten years 1856-65, call for the substitution of some sound system. Again, there is something to be said for, and more against what are called provident dispensaries, where those undefinable masses between the poor and the rich might be doctored. Lastly, the following lament from the registrar of Killaroran, Co. Galway might be the text for much discussion: "We had not one marriage the last six months, which shows the great depression of the times." But to touch these attractive subjects would be unreasonably to tax your patience.

If, however, time or ability have failed me in urging your atten-

tion to such topics, there are many other members most capable of dealing with them, and with improvements in sanitary statutes. This address would be said by many of my neighbours, and by some newspapers to have ignored a potent factor in the mortality of Dublin—namely, the chemical vapours from the eastern extremity of the city, if I did not state my individual opinion. I am bound to confess that during a ten years' residence near to, I never knew human health to be invaded, or vegetation (a more sensitive test) injured; moreover, the Government Chemical Inspectors have certified that there has been no unavoidable escape of gases, and two of these gases are in such degrees of atmospheric dilution most salutary—namely, chlorine and sulphurous acid. As has occurred before, the manufacturers may refuse police court jurisdiction, the loudest complainants to the Public Health Committee and editors, including some legally eminent, may refuse evidence for a Chancery Injunction, and as is very likely to occur, a jury may hesitate to suppress one of our few industries. For such reasons corporate funds have not been wasted in litigation, while the crying need of Dublin is unsupplied—namely, decent houses for the working-classes and the poor.

II.—*Work and the Workman: an Address to the 'Trades' Union Congress.* By J. K. Ingram, Esq. LL.D.

[Read, September, 1880.]

I BELIEVE I am indebted for the privilege of addressing you to-day to the impression produced on the minds of some of your leaders by a discourse which I delivered at a recent meeting of the British Association for the Advancement of Science. What I proposed to myself in that discourse was to show that certain prevailing ideas as to the constitution and method of Economic science required revision and amendment. Whilst recognizing the valuable work done by economists, and notably by Adam Smith, I endeavoured to show that many of them, by taking abstractions for realities, by drawing unverified deductions from *a priori* assumptions, and by giving to their conclusions, even when in a certain sense just, too absolute a character, missed the truth, and set up figments of their own imagination for laws of social life.

But the most important proposition I sought to establish was this—that the Economic phenomena of society cannot, in our researches, be isolated, except provisionally, from the rest,—its material aspect from its intellectual, moral, and political aspects,—without our being thus led into grave error. Or, to state the same thing in other words, I asserted that in the study of society, regarded as a subject of theoretic contemplation, the attempt to constitute the investigation of its Economic laws into a separate science is a philosophically vicious procedure, and that such inquiries must be

regarded as forming *one* branch, to be kept in constant and close relation with the others, of the general Science of Sociology.

The views of method which I thus put forward met with a remarkable degree of attention, and even of acceptance, both in these countries and abroad. This arose, as I have always felt and said, not from any originality in the conceptions, for they were not new, nor from any special merit in my exposition of them, but from the fact that they fell in with a spontaneous movement of mind which had been everywhere taking place. I was only the spokesman of convictions which had been gradually forming, and were now pretty well matured.

Some of those who possess your confidence were attracted by these views. They believed, as I have reason to think, that the method of investigation which I advocated mainly on philosophical grounds, would tend to the formation of juster and more humane conceptions of social practice. And thus it has happened, that I have now an opportunity of laying before you some considerations respecting the conduct of life and the actual dealings of men, to which the larger and less one-sided mode of study I recommended appears to lead us. I have naturally chosen as the special department of human affairs, to which I should address myself on an occasion like the present, the position, the requirements, and the future of the working-classes. To fix our ideas—though most of what I shall say would admit of wider application—I shall keep before me, as a definite type of the workman's life, the form which it assumes in the great centres of manufacturing industry.

Every particular social problem is only a case of this general one, how to subordinate all social forces to the highest permanent well-being of the entire community. Now, the more we study this great question, the more we shall find that no material expedients—however useful in their proper place—will suffice for its solution. That solution must be essentially moral. The end in view can be attained only by means of a generally accepted code of social duties, continuously applied and brought to bear on practice by the systematic solicitude of society. The essential basis of this action is the establishment of stable intellectual convictions respecting the conditions of healthy social life—in other words, a scientific Sociology. Duties, in fact, are social functions freely performed, and they cannot be fixed with the degree of definiteness necessary for practical discipline, without a study of the functions as they arise out of the natural constitution and historical development of the social body. The ideas appropriate to each function must thus be elaborated, in order to determine the corresponding duties. This is the high practical destination which lies before Sociology, and which gives it an importance and interest transcending that of every other department of human knowledge.

What then are the general conceptions we ought to form of the industrial functions? What are the relations which have here to be regulated, and what the moral ideas which ought to preside over that regulation?

The whole modern organization of labour in its advanced forms rests on a fundamental fact which has spontaneously and increasing-

ly developed itself, namely, the definite separation between the functions of the capitalist and the workman, or, in other words, between the direction of industrial operations and their execution in detail. Appearing at the close of the Middle Ages, when industry began to take the place of military activity, this separation has become more and more pronounced with the growing expansion of productive enterprise. The active rich have thus tended to assume the position of practical chiefs of modern society; the determination and conduct of all industrial operations, the government of the world of labour, has more and more passed into their hands. This ascendancy of wealth is deplored by some, and, if it necessarily meant what is properly known as plutocracy—the absolute domination of wealth, the prospects of society would be gloomy enough. But the use of wealth, as of every other social force, must be regulated and moralized, a task which ought to be easier than that of controlling the rude preponderance of military force, which was its historical predecessor.

The active rich, if they would develop in themselves the sentiments which befit their position, must rise above the purely private point of view, and regard themselves as discharging a true public function—that, namely, of administrators of human capital. They cannot claim to be creators of this capital; the largest part of it is the fruit of the labours, economies, discoveries, inventions, and institutions of many generations. The office it fulfils is that of rendering possible the continuation, under equitable conditions, of the common work of society; and the active rich are by their position morally charged with its preservation and management for this end, and its transmission, with increase, to our posterity. The institution of individual property guarantees to them the security of possession and independence of action which are necessary for the efficient discharge of this function. Without such personal appropriation, there could be neither vigorous initiative, nor persistent activity, nor vigilant economy. There can be no army without officers as well as soldiers, and this principle is just as true of industrial as of military organization. No important operation could be effectively conducted, if every one who took part in the execution of it had a voice in its conception and general direction. Great improvements could with difficulty be introduced, if their adoption had to be submitted to a vote, which would often be ignorant, timid, or prejudiced. But whilst the security and independence of the capitalist class are thus guaranteed, its members are subject to the moral responsibilities which attend on every social function, and which are not in their case the less real because society for good reasons renounces, except in extreme cases, their enforcement by material means. This conception of the capitalist as a social administrator heightens his dignity, entitling him to respect by virtue of what is really a public office—a respect which can, on that ground, be shown by his inferiors without hypocrisy or servility, even when his private character is entitled to little esteem. At the same time the ideal thus presented must on good natures have an elevating effect; must tend to raise them above the vulgar abuses of wealth, and to make them regard as the greatest advantage it confers, the power of more largely and effectually benefiting their fellow-men.

Our views of the office of the workman must also be transformed and elevated. The way in which his position is habitually contemplated by the economists, and indeed by the public, is a very narrow, and therefore a false one. Labour is spoken of as if it were an independent entity, separable from the personality of the workman. It is treated as a commodity like corn or cotton—the human agent, his human needs, human nature, and human feelings, being kept almost completely out of view. Now there are, no doubt, if we carry our abstractions far enough, certain resemblances between the contract of employer and employed, and the sale of a commodity. But by fixing exclusive, or even predominant attention on these, we miss the deepest and truly characteristic features of the relation of master and workman—a relation with which moral conditions are inseparably associated. As in science it is the method we pursue on which the value of our investigations will in the long run depend, so in matters of conduct the point of view at which we place ourselves tends to determine the character of our whole procedure. And by viewing labour as a commodity, we at once get rid of the moral basis on which the relation of employer and employed should stand, and make the so-called law of the market the sole regulator of that relation.

Such a perverted conception arises from the individualistic way of looking at the relation in question, as if it were purely a matter of private concernment. But the entire case receives a different complexion when we place ourselves at the social point of view, from which alone these subjects can be rightly studied. Labour, in the widest sense of the word, is then seen to be the continuous and combined effort of our race for the improvement of its condition and its nature; the present using the acquired knowledge and transmitted resources of the past, and handing down an augmented inheritance to the future. All forms of labour, from the loftiest intellectual achievement down to the humblest share in material production, come to be viewed as elements in this great human movement. The lowest genuine exertion of strength or skill—the endeavour to do any piece of work honestly and thoroughly, is thus ennobled and consecrated. Master and workman fulfil different, but equally necessary parts in a joint social enterprise; the one supplying the instruments and provisions needed for its prosecution, and having the general direction of the operations, the other contributing the hand, eye, brain requisite for their execution in detail. This is the only really human conception of labour—the only one which puts employer and employed each in his right place. It presents the workman, not as a semi-slave selling himself or part of himself for purely private ends, but as a free man co-operating according to his ability in the service of humanity, under the guidance of an associate in the same service, who differs from him only as captain from private soldier.

The highest ideal of the moral obligation incumbent on all of us, is that of living for others. Now it requires no sentimental exaggeration, but a simple appreciation of facts as they are, to show the working-man that this is what, by his industrial vocation, he is called

to do. For all that goes to the material sustenance of his contemporaries, for all of material treasure or accommodation that is by them transmitted to their successors, his co-operation is indispensable. He is privileged to see more clearly than workers of a higher order the direct effects of his exertions in the promotion of the common good. For the elevation of his sentiments it is only necessary for him to keep before him these realities of his social function, and to do consciously and with loyal willingness what he is in fact, by the necessities of his position, doing every day.

The first effect of a thorough appropriation of this conception of the workman as a social functionary will be to supply a foundation for his just dignity. It will place on a solid basis his claim to a respect and courtesy on the part of his superiors in rank, which are far from being yet sufficiently wrought into our modern manners. It will also profoundly modify our way of viewing his remuneration. His faithful service is now too often regarded as obtaining in his wages a full equivalent return, dispensing us of all further obligation towards him. But, as Carlyle has said, "Cash never yet paid one man fully his deserts to another; nor could it, nor can it, now or henceforth to the end of the world." This coarse view is not in fact applied in the case of the higher social offices; there the idea of a functionary who serves the public well having got his complete requital by receiving his salary would be recognized as a vulgar one. The salary is in such cases regarded only as furnishing the means of continuing the function under such conditions as the due preparation for it, and the fitting discharge of it, require in the interest of the community. Now from the social point of view the separation hitherto set up in our conceptions between public and private functions, as well as between the higher and the humbler offices, must be given up. Public and private offices are equally departments of the service of Humanity, which differ only in the manner of their retribution. The wages of the workman are to be regarded as the indispensable means of keeping him in such a state of physical health, material security, and moral quietude that he may be able to continue his service to society, and to prepare a new generation for the same service. The only true recompence of the right performance of his functions, lies in the conscious fulfilment of social duty, and in the approbation and esteem which this justly earns from such of his fellow-men as have the opportunity and the capacity for appreciating his work.

The twofold conception I have presented of the capitalist and the workman brings out distinctly their duties to each other. Those duties are such as spring from their relation as mutually indispensable associates in the execution of a great social function. This implies, along with the cultivation of habits of mutual respect, a spirit of mutual help and furtherance, and a loyal interest in each other's prosperity. These obligations are binding on both sides. On the part of the workman they call for faithful work as opposed to eye-service, and for abstinence from all unreasonable demands. In the master, as the higher and more powerful of the associates, they involve a larger responsibility and duties of a wider range. As the

appropriate motto of the feudal ages was *Noblesse oblige*, so that of modern industrial society must be *Richesse oblige*. The masters must subdue in themselves the base inclinations which prompt too many, while accumulating personal gain and lavishing it on their own pleasures and ostentations, to neglect their co-workers who ought to share in equitable measure the benefits arising from their joint operations. Wealth can never be what a man should "seek first;" no spurious economic doctrines can shut out the moral obligation which accompanies us into all our enterprises, that, namely, of finding our happiness in loving and helping our fellow-men rather than in selfish pursuit of our own advantage. The masters ought to be, as some of them have nobly shown themselves, the friends of their workmen, interested in their welfare and that of their families, and actively studying that welfare—giving them opportunities of intellectual improvement; striving to make all the conditions of their labour as favourable as possible to their health, comfort, and morality; keeping them together and assisting them to maintain their homes when they are innocently suffering from any public calamity. The master who succeeds, as it is called, without caring for his men and helping them to succeed along with him, has attained no true success; in spite of the wealth he has accumulated, tried by every real standard, his life has been a failure.

In what I have been saying I have assumed the continued existence of the separation between the functions of the capitalist and the workman which has increasingly prevailed in the constitution of modern industry. The socialistic schemes which would forcibly abolish this separation by taking all the wealth of the community into the management of the State have found little welcome amongst English working-men, who have been hitherto distinguished by their freedom from the subversive utopian notions which have attracted popular favour in other countries. Deeply feeling the evils of industrial life, as it now is, they yet have not aimed at the overthrow of its present organization. Whilst resisting special movements and tendencies on the part of the employers, they have not attacked them as a class or institution. The so-called co-operative system, if extended to the fullest conceivable development, would indeed have the effect of supplanting the masters, without compromising the principle of property. But I think this system has not, as yet, won much cordial approbation from our working-men, or largely coloured their ideas of the social future. It has been much more warmly taken up by philanthropic writers on their behalf. The co-operative stores, or societies of supply, indeed, appear to have been a genuine effort of the people to escape from the abuses of the retail traffic, and obtain good articles at reasonable prices for their daily consumption. These have, I believe, been really successful, and have done much to correct the evils of adulteration, and the enhancement of prices arising from credit dealings. When these results have been thoroughly attained, such societies will most probably disappear. In any case they are not true co-operative societies—they are merely joint stock companies. But the co-operative societies of production have far more widely-reaching objects, at least in the conceptions of the social speculators

who have most strongly advocated them. To these they present themselves as the true solution of the labour problem. Professor Cairnes believed that in this new organization of industry lay the one hope of the working-classes, and Mr. Thornton preached it as a panacea for the evils of the world of labour. I ought to speak with caution and modesty in opposition to such men; but I am compelled to say that in my opinion the proposed solution is an impracticable one, and that the material and moral results of any attempt to realize it on the large scale would disappoint the expectations that have been entertained respecting it. Such attempts are, of course, and ought to be, perfectly open to the working-classes, and it is possible that many trials of the system may be made before the disillusion comes. But I believe it is sure to come. The whole of the commercial and trading classes, as Mr. Howell has said, would not quietly submit to be "shouldered out of the way" by the new industrial system, and the sustained vigour of management and concentration of skill and energy which arise from the ownership of one or a very few, would be more than a match for the looser and less compact organization of these societies. Their operations will at least be always exposed to risk of failure, and I cannot think that the all-important object of the stability of working-men's homes can be furthered by subjecting their scanty means to the vicissitudes of commercial success, which large capitals may bear without fatal strain, but to which small resources should not be exposed. The breakdown of a co-operative factory, as has been well observed, is in its results fraught with far greater evils, both of material disaster and of moral discouragement, than can attend the collapse of a private firm. Our recent policy has been to give the security of the State for the deposits of the savings of the working-classes—a policy founded on the just idea that for them not gain, but the prevention of loss, is the first object. The natural destination of such savings is not industrial investment, but the formation of a modest reserve to meet special domestic exigencies, or to make possible the performance of special domestic duties. The suggestion has sometimes been made that the capital of the trades-unions should be embarked in co-operative enterprise, but such a step must surely be deprecated by all friends of those bodies, whose efficiency essentially depends on their funds being at once available for any emergency.

Much stress has been laid by the advocates of the co-operative system on the enlightenment and the moral benefits which must arise from its practice. It is said that it will bring the working-men to understand the grave difficulties with which employers have to contend in the conduct of their business, and will make them more reasonable in their dealings with their employers by showing them in a practical way the bearing on production and prices of the regulations they desire to enforce on the masters. It will be observed that this implies only a partial or temporary trial of the system, and looks to the organization of employer and employed as the really permanent and normal one. The instruction so received might be useful enough, but it would be dearly purchased by extensive and repeated failures, and I believe the same lessons can be

sufficiently inculcated through study and observation without seriously compromising the interests of families. It is also alleged that the working of the co-operative system, regarded in its reaction on character, will call forth many of the highest qualities of our nature. All combined action of men for honest ends doubtless develops some useful elements of character; but the degree of elevation of these elements depends on the nature and objects of the combination, which may be of a kind to starve other nobler traits. I believe in no moral regeneration founded on appeals to private interest; social motives alone can truly moralize; and I cannot help thinking that upon the whole the tendency of the co-operative system would be to spoil the best qualities of the working-man. His characteristic type would tend to be transformed into that of the small capitalist. For the absence of habitual money-making cares, and the disengagement of mind when his daily work is over,—which are amongst the best compensations of a workman's laborious life—would be substituted the fretting anxieties of the trader. The large sympathies and generous impulses which are natural to the one would be supplanted by the comparative deadness to social interests, and the constant gain-regarding attitude of the other. The enjoyment of domestic life and the cultivation of the intellect would tend to be subordinated to the pursuit of profit. The workman would be likely to prolong unduly the hours of labour on the plea that he was working for himself. Instead of the frank and warm-hearted friend of the fellow-workers with whom he was daily associated, he would be tempted to become their spy and the controller of their actions, not on the basis of general morality, but on that of his private interest. I have spoken strongly, because I wish to emphasize my dissent from propositions on this matter which are sometimes quietly taken for granted. I do not of course say that the system would in every case produce the moral consequences here indicated, but I am convinced that its general tendency would be to affect injuriously the peace of the working-man, his freedom of mind, his openness to elevated ideas, and his real independence.

I believe that the immense majority of working-men must remain to the end working-men, and that only. I further believe that this necessity admits of being fully reconciled with their happiness and their dignity. They would, in my opinion, best consult their real interests by recognizing these truths as soon as may be, and sincerely renouncing the pursuit of a different position. What they ought to aim at is the elevation of their class as such, without seeking to alter the basis of the existing organization of industry. In this work they will find not only an abundant but a fruitful field for all their public spirit, energy, and sagacity.

The interest of the Trades' Union movement seems to me to lie precisely in this, that it follows the practical and hopeful line I have just indicated. Assuming the permanent existence of the relation of master and workman, it for the first time practically asserted the necessity of systematically regulating that relation, and set on foot an effort, however inadequate and often mistaken, towards realizing such a regulation. Attacked and denounced as scarcely

any other institutions ever have been, the unions have thriven and grown in the face of opposition. This healthy vitality has been due to the fact that they were a genuine product of social needs—indispensable as a protest and a struggle against the abuses of industrial government, and inevitable as a consequence of that consciousness of strength inspired by the concentration of numbers under the new conditions of industry. They have gradually purged themselves of many abuses which appeared in their earlier proceedings—abuses which were in some degree explained, if not palliated, by the gross injustice with which they were treated by the law. From that injustice they have completely liberated themselves by steady, moderate, and well-considered action. They have been, as is now admitted by almost all candid minds, instruments of progress. Not to speak of the material advantages they have gained for working-men, they have developed powerful sympathies among them, and taught them the lesson of self-sacrifice in the interest of their brethren, and, still more, of their successors. They have infused a new spirit of independence and self-respect. They have brought some of the best men to the front, and given them the ascendancy due to their personal qualities and desirable in the interests of society. According to the testimony of all who have the best means of knowing, the most influential members of these bodies, instead of multiplying and encouraging strikes, have diminished their frequency and mitigated their violence, and have fostered the habit of recurring to milder methods for the adjustment of disputes.

It would be an impertinence on my part to advise working-men to maintain the unions. They can appreciate their value far better than I could do, and nothing is clearer than their fixed resolve, not only to maintain those institutions, but to develop and extend them. What I would urge is the importance of introducing more and more of moral elements into their action. They have already recognized that violence and menace are forbidden to them as means of effecting their objects, and this has immensely strengthened them in public estimation. They should proceed further in the same path. If there be any thing remaining in their rules which cannot be defended on principles of the highest social morality, they ought to expunge it. They should put forward no claims that are not rigorously just. They should seek to give effect to these claims by conciliatory methods, regarding strikes as a last resource, sometimes indeed necessary, but always deplorable as intensifying evil passions and compromising many innocent existences. They should discuss all the questions that concern them—such as those of wages, hours of labour, piecework, apprenticeship—on higher grounds than those of material class interests. They should invite the attention of the thinking public to these questions, and look to the best disinterested opinion as the judge and controller of their operations. The action of the trades' unions cannot solve the problem of the regulation of industrial life; essentially based on antagonism and the assertion of rights, they cannot work a reconciliation which depends on the acknowledgment and application of rules of duty. The real and radical solution of this problem, as of the general social problem which includes

it, can be effected only by such a reorganization of ideas and renovation of sentiments, as will rise to the dimensions of an intellectual and moral reform. But the unions may be powerful agencies in keeping alive a sense of the need of that true solution, in impelling society towards it, and in preparing the public mind for it. For these ends, even apart from their immediate services, their action will long be indispensable, and will be more and more valuable, as it relies increasingly on moral means.

For the direction of the efforts of the working classes towards the amelioration of their position, it is necessary that they should decide on the answer to the question—what are their real requirements? What are the objects which, though not at once fully attainable, they ought to keep before them, and towards which they ought steadily to march? These requirements—omitting minor points, and looking only at the broader elements of their condition—appear to me to be three in number; and I proceed to consider them in succession.

The first is—*Adequate wages.*

Adam Smith, placing himself at the point of view from which the working-man is regarded as a social functionary, says—"It is but equity that they who feed, clothe, and lodge the whole body of the people, should have such a share of the produce of their labour as to be themselves tolerably well fed, clothed, and lodged." "Tolerably well"—that is his expression—which is dictated by a sane appreciation of realities—of the limits imposed by the unalterable conditions of human life. But this expression plainly has relation not to a fixed, but to a movable standard of living. The "tolerably well" of one period or one state of society might be the "scandalously ill" of another. If I were asked to give precision to Smith's sentence by introducing this element, I should say that in a normal state of things, wages at a given time and place should not fall below what is necessary to enable a working-man and his family (supposed of average number) to live in a manner, the most economical indeed, but still consistent with whatever the contemporary local civilization recognizes as indispensable for physical and mental health, or required by the rational self-respect of human beings. I fear we are in many instances far enough removed from this measure; but I do not see how we can evade the necessity of reaching it, if the highest ends of society are to be attained.

The idea of the relation of wages to a social standard of living has an important bearing on a view now often put forward. It is said that the unions have forced up wages so as to make it impossible to compete with foreigners, a statement strangely at variance with what is at the same time alleged by others, that wages would stand at the present rates if the unions had never existed. We are told that the working-classes ought to submit to reduction of wages, in order that our capitalists may undersell and paralyse their foreign rivals, and that so wages, temporarily depressed, may afterwards rise to a higher level than the present one. Curiously enough, the same appeal is made in the continental countries, where workmen are similarly counselled to deny themselves with a view to defeat British capitalists; and there would be more foundation for the demand there than here, wages

having risen in late years much more rapidly abroad than at home, if it were true that rising wages necessarily imply more costly production. To judge by the language used by capitalists and their spokesmen, it might seem that the great question of industrial life at the present time was this—what working population among civilized nations would be content to live the most miserably in order to drive the others out of the markets of the world? I hope our working-people will follow no such *ignis fatuus*. The political economists, in discussing the question of population, justly insist on the value to the working-classes of maintaining the standard of living they have reached. The English workman has, as a result of the whole past, attained a standard superior to that which prevails in general in continental countries; and it is most important that the ground gained in this direction should not be endangered. What is really to be desired is that the foreign workman's standard of living may also rise, and that he may maintain every increase of wages which he has once secured. This will doubly promote your interests, for he will then be a better customer for English products generally, and he will be less likely to be transferred from his own country to England for the purpose of keeping down your wages.

Not only must our workmen refuse to fall in with the narrow and short-sighted policy of which I have been speaking; they must take care not to let their sentiments be perverted by the cry of foreign competition. The tendency of this headlong chase after English industrial supremacy, as it is called, is to renew something of the old jealous hostility to "the foreigner" which used to be fostered in the interests of military ascendancy. But, however the capitalist may feel, the sentiment of the workman at home towards the workman abroad, should be one of sincere fraternity. They have the same hopes and aspirations, and the problems in which they are interested must receive identical solutions. Let us not blind ourselves to plain truths. Our patriotic partialities must not, any more than our domestic preferences, make us unjust to others, or false to the general weal. The industrial populations of the west are all co-workers for the universal good. It is desirable in the interest of humanity that they should all increase in skill, in energy, and in perseverance, and that they should adopt the most improved methods of production. If any foreign country has peculiar facilities for any form of production, it is desirable that those facilities should be brought into effective operation. It is the happy prerogative of industry, in which it contrasts with military activity, that it admits of the simultaneous prosperity of all. Economists have expounded an important idea which tends to reconcile the antagonistic interests of nations as rival producers. They have pointed out that to the division of occupations which in each separate nation facilitates production and increases wealth, corresponds the natural distribution of different kinds of production between different communities, according as local circumstances or national aptitudes prescribe. If each nation withdrew from branches of industry for which its native bent or its circumstances disqualify it, choosing those for which it has a special advantage, the common harmony would be greatly promoted, while

the general wealth would be augmented. It is one of the great evils of the protective system that it stands in the way of these adjustments which would reconcile conflicting claims and turn competition into co-operation.

English workmen cannot be the best in every department of skilled industry; there are some kinds of it for which they have not a natural genius. But they will always hold the foremost place in some departments. It seems established by competent testimony that they are now the most energetic and persevering workers in the world; and that the quality of their work is still, on the whole, the most enduring and trustworthy. That it can retain its entire superiority in these characters over foreign work, is not to be expected. But it is alike the interest and the duty of our capitalists, by offering really good wares—not sham and shoddy ones, made only to sell,—and of our workmen, by honest careful labour, to keep as high as they can the reputation of British industry, and make as valuable a contribution as possible to the wealth of mankind.

The second requirement of the workman is *A Well-regulated Home*.

I have hitherto generally spoken of the working-man as an individual; but no study of his position is complete which overlooks the fact that he is ordinarily the head of a family. The principal solace of a life of labour—nay the principal source of human happiness generally, lies in the exercise of the domestic affections. It is the duty of the chiefs of the industrial world to do all that in them lies towards securing to the working-man the enjoyment of so great a blessing. This involves in it the regulation of his labour in such a way that he may have the opportunity of sufficient intercourse with the members of his family, and may return to them fatigued, perhaps, but not exhausted in body or broken in spirit by too prolonged or excessive exertion. A life of work and nothing but work is no life for a man, who must not be degraded into a mere instrument of production. An Irish poet has claimed for the working-classes—

“Leisure to live, leisure to love, leisure to taste their freedom,”

and the demand is a just one. Work of some kind, honestly and faithfully done, is incumbent on all men, from the highest to the lowest; it is unworthy of us to shirk our fair share in the common service of Humanity. Work with the hands is the necessary, and, in my judgment, under right conditions not the unhappy destiny of the great majority of our race. But the best, the most effective work is not the most prolonged. “It will be found, I believe,” says Adam Smith, “in every sort of trade that the man who works so moderately as to be able to work constantly, not only preserves his health the longest, but, in the course of the year, executes the greatest quantity of work.” It is surely no insoluble question for physiology, what is the average time during which the powers of attention and effort can be kept in full exercise with the best results for the health and permanent efficiency of the human agent. It is doubtful whether even this limit should be reached in a civilized community. And this for several reasons, of which one only is now insisted on, namely, that the workman needs both in his own

highest interests, and in those of society, an habitual expansion of his domestic affections. For family life is not merely the source of the purest happiness; it is also the best school of the heart. The hardness and selfishness which the pressure of practical life too often produces is best tempered by the atmosphere of the domestic hearth, where we learn, in the most elementary and attractive form, the lesson of living for others. It has always been recognized that in the practice of the domestic virtues is laid the surest foundation of civic and social worth. This is a consideration which has perhaps not sufficiently attracted the attention of the Malthusians, usually blind to all but the material side of the subject they discuss.

Now woman, first as wife, secondly as mother, is the centre of a home. It is in her action, whether unconscious or voluntary, on the nature of the man—if she be a worthy representative of her sex—that the chief moral efficacy of the domestic union lies. She presents a model and exemplar of the qualities in which he is most likely to be deficient—gentleness, tenderness, unselfishness. As mother, she exercises a real moral providence over her children. She has in her hands the first development of the natures of the young and the formation of their habits, and how ineffaceable these earliest impressions are, is the lesson of all experience. Happy results of this kind are often attained in a large degree by the mere ministry of love, when the woman is far from approaching the ideal of her sex, and when she wants the intellectual cultivation which would so much aid and elevate her endeavours.

In order to enable her really to discharge these sacred offices, the neglect of which is a fatal waste of all that is most precious, the woman must be freed from the necessity of non-domestic labour which is now too often imposed upon her. This is a step in the upward movement of the working-classes which cannot be suddenly effected, but it is an essential one, and they must set their faces towards it. Those classes are now justly demanding that they should be in the fullest sense incorporated into modern society, that the gains which advancing civilization has brought to the superior ranks, such as intellectual cultivation, and political and civic recognition, should be extended in the utmost practicable degree to them. This social benefit too, the consecration of woman to her domestic office, which is enjoyed by the ranks above them, must become theirs also; for the moral motives which dictate it apply as strongly in their case. Some of the coarser forms of labour which were positively degrading to women have been rightly interdicted by law; the change of which I speak will have to be carried out by the spontaneous action of the working-classes themselves, as the increasing amount and better employment of their wages will make it possible.

It will easily be understood that the object is not that women should be maintained in idleness. Those of us who are happy enough to have the opportunity of making such observations know that a good woman works as constantly as the most industrious husband, though in a different sphere. On the practical side she is the economist, utilizing to the utmost the resources of the home and studying incessantly the health and comfort of its inmates.

But the office for which she is most indispensable is the moral one, the cultivation of the affections and the regulation of the habits of a new generation; and this requires the restoration of woman to the domestic hearth. Beginning with mothers, as the most urgent case, that restoration must be extended afterwards to the younger women, who should be trained not for material production (except so far as that is possible within a family), but for the regulation of homes and the physical care and moral formation of human beings. I know how vast this programme is, and I do not overlook the difficulties which beset some portions of it from the necessity of material guarantees for women who are not either wives or inmates of a father's home. But those difficulties are not insurmountable, and I am convinced that there is no social reform which would tend more powerfully than the one I have been advocating to the happiness of women and the elevation of the working-man.

Other considerations connected with the right constitution of the workman's domestic life can here be no more than glanced at. The modern solicitude for the sanitary improvement of dwellings will modify his habits for good, by making home more attractive, whilst it will tend to the production of a healthier and more energetic industrial population. The acquisition, too, of the dwelling as his property will have the most important reactions on the sentiments and habits of the family; and those persons deserve the gratitude of the community who are labouring to make this acquisition easier by modifications of the law.

The third requirement of the working classes is *Education*.

Their elementary instruction has, until quite of late, occupied most of the public attention, and absorbed the largest share of individual effort; and justly so, for it is the necessary foundation of all else. But contemporary opinion seems to be altogether in favour of the gradual provision of a higher and wider instruction for working people; of opening to them a larger access to scientific and æsthetic culture. This opinion, however, in many minds rests on a very narrow basis. The demand for the scientific instruction of the workman has generally been urged on the ground of its technical value as likely to make his labour more intelligent and more effective. Now on this consideration, which is true as far as it goes, might rest the necessity of giving him some notions of the truths of those physical sciences by which the processes of industry are dictated or explained. But the higher ends of science in the formation of the man and the member of society are thus left altogether out of account. Again, æsthetic culture for the workman is encouraged on the ground that it will give greater elegance and finish to the products of his skill, which also is a just conception in itself. But this view, exclusively followed out, would lead to a very undue limitation of art as an element of education, and would shut out poetry and music, because their value lies, not in their technical utility, but in their general mental and moral influences.

The principles which should guide us in determining the right general education of working-men are identical with those which should be applied to the solution of the same question for other

classes. There may be special difficulties in applying the solution in the case of the workman; but that consideration cannot affect the rational basis of the solution. Now the general aim of education, so far as it is scientific, is to give a man a right general conception of the world in which he lives, of the permanent conditions, whether absolutely fixed or modifiable, to which his whole existence is subjected, and with which all his efforts, in order to be successful, must be kept in harmony. These conditions are of three kinds, as embodied in the laws of inorganic, vital, and social phenomena. No education is complete which does not embrace the essential ideas relating to these several classes of facts. Even by the upper and middle ranks this large culture has not been attained. Our courses of instruction are so overlaid with exaggerated specialities and superfluous refinements, that the materials for an intelligent appreciation of our life on all its sides are seldom, if ever, furnished by our modes of training, and the defects of official systems have to be supplied, if at all, by further individual self-cultivation. But I am convinced that, even for the working-classes, by due condensation of the intellectual treasures at our disposal, a comprehensive education of this kind might be provided, if they on their part were willing to make the necessary effort to obtain it. In other classes parents postpone for their children the entrance on professional work, in order to secure for them a more liberal general culture. The working-classes should consider how something similar might be effected for them. Of the practical way to this great acquisition, I ought to speak with reserve; but it will probably be found to lie in a reorganized system of apprenticeship. I believe there is a very general impression that that old institution has been somewhat inconsiderately dealt with in the modern development of collective industry, and that it required rather to be adapted and improved than to be undermined and largely broken down as it has been. It is while a youth is learning his handicraft that a portion of his time might be taken from work for his scientific instruction; and if the latter were made as important an object as the former, the ancient term of seven years, from fourteen to twenty-one, might still be found not too much for the combined technical and educational preparations. The æsthetic capabilities also might be concurrently trained, not alone, as I have said, to improve art workmanship, but also for the higher purpose of humanizing and sweetening life—of giving it grace, refinement, and charm.

It is evident that of all the sciences the most important are those which have to do with the determination of duties. But, as I showed at the outset, social duties cannot be rationally established without a study of the constitution and development of society. Hence the necessity of a scientific social doctrine, which ought to form a universal element of our system of education. Its importance is twofold; first, as a foundation of individual discipline, and secondly, as a basis of public opinion. As to its operation on individual conduct, by establishing the laws which regulate social phenomena, it sobers and tranquillizes the mind, showing that the fundamental constitution of practical life is beyond our control, and that no

popular sovereignty, ever so unanimous, can alter the essential nature of things. At the same time, proving that social phenomena are, by virtue of this very subjection to natural laws, largely modifiable in their secondary dispositions by wise human intervention, it teaches, along with the lesson of submission, that of hopeful effort. It brings out the consequences of every line of conduct as affecting the welfare of others and of the whole community with such clearness as to defy sophistry or evasion. It enables each to see and feel his personal share in the daily civic co-operation, in the great work of maintaining and developing the material and moral life of the race, and to understand the normal relations of his own office with the other social functions; and thus, while heightening his sense of dignity, it deepens his consciousness of responsibility. Such a basis of discipline ought not to be restricted to any class, but extended to all. The object of giving such instruction to working-men is not to make them savants or philosophers, but to assist in training them as enlightened, courageous, and conscientious citizens, acknowledging and practising their duties to their families, their country, and their kind.

But further, such a social doctrine is necessary as a basis for public opinion. The direct action of truth on the individual intellect and conscience will not suffice for the regulation of conduct. The strong reaction of all upon each must be brought to bear, both to control selfishness and to stimulate sympathy. Fixed principles respecting the social relations and social duties, once freely adopted by competent minds, and then systematically diffused by education, would form an opinion strong enough to support the good inclinations and to resist the vicious tendencies of individuals. Public opinion is evidently destined to exercise in the future an action in the regulation of social life of which we have yet had but little conception. The healthy and effective exercise of this power will depend on its due guidance and concentration, a subject of which much may be said into which I cannot enter now. One thing is plain, that the working-classes will more and more become the great laboratory of public opinion. This would be inevitable from the fact that they compose the mass of society, and suffer most from the imperfections of the social system, even if they were not, as they now are, invested with political power. Hence the importance to other classes as well as to themselves of their being directed in their judgments by a true social doctrine—which, discountenancing all violence and oppression, will at the same time furnish just standards founded on rational ideas, by which the mode of discharge of every social function, whether public or private, can be tried and estimated.

I have not, you will observe, presented the view that the intellectual improvement of the workman will assist him in rising out of his class into a higher sphere of life. I do not either for him or for his employer contemplate what is called “getting on in the world” as the great end of existence. In much of the popular literature of self-help, the hero held up to our admiration is the man who, beginning as workman, scales the ladder of social elevation, and closes his career as a master; and it is almost implied that the great

question is not how to improve and ennoble the workman's life, but how to enable the ambitious and energetic to escape from it. I think current ideas on this matter require a good deal of correction. The causes which determine the rise of some to the rank of directors of industry, whilst others remain in the position of workmen, are not always easy to trace; most frequently, accidental elements of situation or opportunity are involved. But so far as personal qualities are operative, it would be a great mistake to suppose, as is too often taken for granted, that a rise of this kind is always or ordinarily connected with superiority of nature. A man who remains a workman all his life, may be, and often is, in all the essential qualities of manhood, of far greater intrinsic value than another who raises himself to wealth and rank. The practical qualities which most lead to what is called success—toughness, dexterity, and caution, valuable no doubt in themselves, may be combined with a poor intellect and a narrow heart. The very processes by which industrial ascendancy is reached, even when the means used are strictly legitimate, involve grave dangers to men's natures. The constant habit of self-regard, the temptation to put aside the claims of others, the intense pre-occupation with possibilities of profit, have a tendency to produce on the intellectual side limitation of views, and on the moral side, hardness and want of sympathy. These qualities have often been observed in self-made men, and particularly in the smaller capitalists who are still suffering from the deteriorating effects of the struggle. It is only just, however, to add, that in natures fundamentally good, when the strain of acquisition is relaxed, the possession of wealth and the power it bestows often develops the better elements and brings out the noble instincts of the genuine chief. More frequently, perhaps, social fruit is not derived from these elevations before the second generation, and then only where it does not happen that vanity and a weak imitation of the old aristocracy lead to a life of luxury and ostentation, and a contemptuous neglect of industrial duties.

But, be this as it may, there is no reason why we should think less of a man because ambition and the desire to be rich are weak in his nature. They are weak, I believe, in most healthy natures, and it is well that it should be so; morality and religion have always deprecated any intense degree of them. We cannot indeed dispense with a strong dose of them in some members of the industrial world; for they are necessary to bring about the formation of large capitals and to provide efficient directors of industry. But the development of these elements of character is required only for the actual or destined capitalist; they are foreign to the vocation of the ordinary working-man, and if indulged, produce, from the necessary limitation of his circumstances, a miserable restlessness and spirit of revolt. What is really important for working-men, is not that a few should rise out of their class—this sometimes rather injures the class, by depriving it of its more energetic members. The truly vital interest is that the whole class should rise in material comfort and security, and still more in intellectual and moral attainments.

I have now concluded the remarks which I thought would usefully

occupy the time we were to spend together. Little conversant with details, I have dealt mainly with general principles, and I have perhaps somewhat tasked your attention by the lines of thought I have followed. But what I have given you was the best I had to offer; and I trust it may be of some use in helping you to avoid false paths, and in fixing your attention on the true means of achieving the end of all your efforts—a better and nobler life for the workman of the future.

III.—*On the Anomalous Differences in the Poor-laws of Ireland and of England: An Address to the Trades Union Congress.*
By W. Neilson Hancock, LL.D. Q.C.

[Read 15th September, 1880.]

ASKED to address you on the anomalous differences in the Poor-laws of Ireland and England, my first inquiry was, what views had been adopted by the parliamentary committee of your Congress on the subject of equal laws for all parts of the United Kingdom.

Views of the Trades Union Congress on the subject of equal laws for all parts of the United Kingdom.

After holding eleven annual Congresses in various towns in England, you last year held a Congress at Edinburgh, and this year in Dublin. Now I was much struck with the tone and spirit with which you approached the discussions of such branches of Irish affairs as fell within the legitimate scope of your discussions. Last year you had been successful in obtaining from the late parliament, and with the cordial assent of the late government, one of the most important reforms which you have carried by your twelve years of earnest and persevering work—namely, the Summary Jurisdiction Act, 1879. Just after the Edinburgh Congress last year, your parliamentary committee addressed a letter to the late Home Secretary, Mr. Cross, containing the following suggestions as to Scotland and Ireland.

Having referred to the Act as a measure of immense value in improving the administration of justice, and in securing the liberty of Englishmen, your parliamentary committee say:—

“So great did the advantages and benefits of the Act appear to the Congress, that the predominant feeling of the moment (the Congress being in Scotland), was that the Act ought to apply to Scotland.

“We therefore ask you next session to bring in a Bill which will so apply the Act to the Scotch procedure and law that the people of Scotland may have the possession of similar advantages.

“We hope that our Scotch friends will be able to assist you by laying before you their views of the way this should be done.”

Then follows a passage in which in a few pregnant sentences your parliamentary committee sketch out a large-minded policy for guiding legislation for Ireland. They add:—

“While urging this upon your attention, we cannot refrain from saying that we know of no reason why similar privileges should not be conferred upon the Irish people.

“We beg to inform you that our next Trades Union Congress in September, 1880, will be held in Dublin, and to express our belief that nothing can be more calculated to promote content among the Irish workmen than the voluntary extension of liberties to Ireland similar to those we enjoy.”

Your committee have thus sketched out a very generous, very just, and very feasible line of policy.

It has in its favour the authority of the great Sir Robert Peel, who having commenced his career in 1810 as Chief Secretary of Ireland, conceded under the Duke of Wellington in 1829, the great measure of Roman Catholic Emancipation to Irish feeling; and in 1846, as Prime Minister, the great measure of Free Trade, which has placed the British people in advance of the world on economic and social questions.

In the remarkable speech with which he closed his career as Prime Minister, Sir Robert Peel said:—

“There ought to be established between England and Ireland a complete equality in all civil, municipal, and political rights, so that no person viewing Ireland with perfectly disinterested eyes should be enabled to say a different law is enacted for Ireland, and *on account of some jealousy or suspicion* Ireland has curtailed and mutilated rights.”

The generosity and vigilance of your parliamentary committee has not been without fruit likely to be beneficial to Ireland. The short session of the late parliament and the short session of the present parliament were not favourable to either the late or the present government dealing with summary jurisdiction in Scotland or Ireland, but two Irish members (Mr. Errington and Sir Patrick O'Brien) have brought in a bill, the preamble of which embodies to the fullest extent the suggestions of your committee; it is in these terms:—

“Whereas the law of Summary Jurisdiction in Ireland and the Summary Jurisdiction Courts rest on the same original foundation as the corresponding laws and institutions in England and Wales, and it is expedient to have the latest improvements adopted in England for the benefit of suitors and persons brought before these courts, promptly extended to Ireland.”

As no Scotch member has introduced a similar measure for Scotland, Ireland is likely to take the lead of Scotland in carrying out this branch of assimilation of law, in accordance with the suggestions of your parliamentary committee.

Is the principle of equal laws for all parts of the United Kingdom as applicable to Poor-laws, as to other branches of legislation?

The operations of Poor-law in England and Ireland was made the subject of elaborate researches by parliamentary committees in 1861, 1862, and 1863, and a great deal of discussion arose in consequence of the distress in Ireland in 1863, which followed the three wet years of 1860, 1861, and 1862.

The very question I now propose was made, in the winter of 1863-64, the subject of an address and a paper by Dr. Ingram, then Vice-President, and since President of the Statistical and Social Inquiry Society of Ireland. The conclusions at which he arrived are worth

quoting at the present time, as recent teachings of social science on this important question, based on careful research and thoughtful reasoning, and delivered to a scientific body in remarkable communications, strictly confined to the scientific view of the question. He says:—

“The regulations of a poor-law ought to be founded either on the facts of individual human nature, or on the relations and mutual duties of the members of a human family. Those facts are the same in Ireland as in England; these relations are alike sacred on both sides of the channel. Whether aged couples should be separated in a workhouse—whether widows with one child, or widows with two, ought to have outdoor relief—whether deserted wives should be placed in the same position as widows—whether the wives of soldiers and sailors in Her Majesty’s service are entitled to any special consideration—whether the occupation of a quarter acre of land should exclude from outdoor relief—these questions which, if decided by reason, and not either by prejudice or by haphazard, must, I think, be answered alike, whether proposed in the one country or in the other.

“What is now, above all things, to be desired with respect to the poor-laws, is that the same discretionary powers vested in the English Poor-law Board should be confided to the Irish Commissioners. Whatever may be our opinions as to the extent to which outdoor relief ought now to be given in Ireland, the same power of authorizing it, whenever and wherever circumstances may require it, ought to belong to the central authorities in both countries.”

I could not present to you a more complete, impartial, or conclusive opinion on the policy of equal Poor-laws.

The chief anomalies in the Poor-laws of Ireland at the present time, arise from the wise suggestions of Dr. Ingram, in 1864, having been (owing to the pressure of such important subjects as the church and land questions) neglected, and the people of Ireland consequently excluded from nearly all the improvements introduced into Poor-laws in England in the last thirty years. Before, however, explaining what Ireland has lost in this way, I think it right to say a word or two showing why this Congress is specially entitled to form and to express an opinion on this Poor-law assimilation question.

Why the Trades Union Congress is specially entitled to form and express an opinion on the subject of equal Poor-laws.

In order to appreciate this, I will quote an analysis of the social science principles of Poor-laws, which I published in 1871:—

“The main principle of Social Science on which Poor-laws rest is that it is impossible for individuals of the labouring class, however well conducted, moral, and prudent they may be, *without mutual assistance*, to provide from their wages and savings against all the vicissitudes of their lot.

“For labourers of the higher class, this provision is made: in the case of officials, by Superannuation Funds, Widows’ Funds, and Orphans’ Funds, or by pensions for some or all of the classes provided for by such funds. In professional and other cases of higher class labour, provision is made by Life Insurance Companies and Accident Insurance Companies. Amongst the artisan class, vicissitudes are provided against by Trade Societies, Friendly Societies, Sick Clubs, and Burial Clubs.

“Beneath all these classes of labourers there is a lower stratum of agricultural labourers, ordinary town labourers, labourers at trades too small for mutual assistance, and migratory labourers. As respects these it has been found by experience that from want of education, want of common

bonds, and want of intercourse, effective mutual assistance to guard against the vicissitudes of their lot does not exist amongst them, and for these classes, the State, from motives of humanity on the one hand, and of policy on the other, has undertaken to make provision for widows and orphans, for old age, for temporary want of employment, for sickness of the head, or of any member of the family."

Now, it follows from the principles thus laid down, that the Trades Union Congress, representing 600,000 of the working-classes, or between 3,000,000 or 4,000,000 of the population—equal to all Scotland, to two-thirds of Ireland, or to all London; teaching mutual assistance and the elevation of the working-classes, by good conduct, energy, prudence, and the discipline of the members of different trades upon one another, is one of the most powerful social influences of the present day for raising the largest possible number of the working-classes above the necessity of being in any degree dependent on Poor-laws.

An organisation that is engaged in such important work, so beneficial to all classes in the community, has a very deep interest in seeing that none of their class are unduly or unfairly taxed or burdened by any delay in extending to all parts of the United Kingdom the most recent improvements in Poor-law administration.

What are the reforms that have been carried in England in Poor-laws in the last thirty years, that have not at all or only imperfectly been extended to Ireland?

1st.—*The substitution of Union-rating for Parish-rating, carried in England in 1865.*

As to the importance of this reform, we have the independent scientific testimony of the late Mr. MacNeel Caird, who was selected to write the Cobden Club Essay on "Local Government Taxation in Scotland," and who, in a paper on Poor-laws read at the Statistical section of the British Association, or Scientific Men's Congress at Glasgow, in 1876, wrote as follows:—

"The same evils [as those he was referring to in Scotland] arose in England from the law of settlement and rating having been limited to parishes. The subject was elaborately investigated by a Parliamentary Committee, between 1861 and 1864, and in the following year, parliament with almost universal concurrence, established the rule for England that all cost of relief, whether in or out of the workhouse, is to be charged no longer on parishes, but on unions.

"That change has put an end in a great measure to the pulling down of houses and the restrictions on the accommodation of labourers, which were formerly as well known in what were called the close parishes in England, as they have been during the last thirty years in Scotland."

Here, then, we have a reform adopted fifteen years ago for all England and Wales, and recommended for Scotland by the latest scientific authority on the subject. Now, how has Ireland been dealt with in respect to it? This great reform which was carried in England in 1865, had been really proposed thirty years before, when parishes were consolidated into unions for the purpose of government, and accordingly the statesmen who proposed a poor-law for

Ireland in 1838, introduced the bill in parliament containing the principle of union-rating, and with the stated intention of dividing all Ireland into only eighty unions.

The greatest of Anglo-Irishmen, the late Duke of Wellington, was unfortunately able to induce parliament to substitute for union-rating in the Bill, the principle of small districts of rating called electoral divisions corresponding to parish-rating. After the famine of 1847, the number of electoral divisions was increased, and the resemblance to English close parishes made so complete, that some electoral divisions were actually co-incident with single estates.

This unwise policy increased the temptation to clear estates, and was one of the causes which rendered necessary part of the legislation in the Land Act of 1870, yet strange to say when the question of union-rating came to be dealt with in Ireland in 1876, instead of the complete English measure of Lord Palmerston's government of 1865 being extended to Ireland, we had only the compromise of partial union-rating. This unhappy compromise retains the temptation and motive to clearances, though not in quite as intense a form. Hence we have had within four years of its passing, a renewed conflict between classes, and between the Houses of Parliament, and yet the remedy which was applied in England in 1865, has not yet in its integrity been applied to Ireland, though its extension would be identical in principle, and consequently involve no exceptional legislation. To show that I am not peculiar in the very great importance I attach to this question of the abolition of electoral division or parish-rating, especially as it affects working-men, I will quote what Mr. MacNeel Caird said in his scientific paper, to which I have referred in support of the abolition of parish-rating in Scotland :—

“A law of settlement for the poor, even in its mildest form, is necessarily adverse to the freedom of labour. Whenever you enact that the burden of maintaining the poor of any district shall rest on the people or property of that district, you give to every other district a fictitious interest to shut out all whom they may, reasonably or unreasonably, apprehend likely to become burdensome. And the narrower the area of rating and settlement, the more severe will the pressure be on the industrious labourer. For a man whose settlement is in one of the small parishes I have spoken of, is under a practical hindrance in finding customers for his labour except among the two, three, or four hundred inhabitants of the parish. And it depends much on the health and condition of himself and his family, and especially on their being visibly able to support themselves prospectively, whether the hindrance shall be little or great to the free sale of his labour in a wider market. In the very cases where he most needs freedom—the cases of a numerous young family, or delicate wife, or crippled or imbecile child—the unwillingness to receive him as a resident in another parish (lest he or they should become a burden on it) is intensified, and the greater is his difficulty in finding a residence and employment elsewhere than in the parish to which he is already tied.

“This branch of the poor-law operates indeed as a kind of prædial slavery, though its action is indirect, and is disguised under a different name.

“It operates by creating a fictitious interest in every land and house-owner, every farmer and every ratepayer outside of the parish to which a poor man belongs, to prevent his being in their parish long enough to acquire a settlement there because of the risk of him, or some of his family becoming at some future time a burden on the rates. And that fictitious interest has very real effects.

"The market available to a man for the hire or sale of his manual labour, is physically limited to narrow bounds round the place where he lives, and any legal arrangement which artificially increases his difficulty in obtaining a house in another district, where he could get steadier work or better wages, is a source of oppression to him. He has no right to claim that any land-owner shall be bound to provide a house for him, any more than he could claim that any baker should be bound to provide bread for him. *But he has a good right to claim in regard to both land-owner and baker, that no false or artificial motive, adverse to the supply of his wants, shall be created by law; that, in regard to houses as well as bread, demand and supply shall be left to act naturally and freely.*

"The law of settlement of the poor in such very limited areas, operates in a very marked way in *stinting the house accommodation for labourers*. In country parishes, where all the houses are under the control of a few large proprietors, it has been *too often supposed a politic thing to pull down houses and restrict the accommodation for labourers with an eye to the poor-rates*. In a natural state of things an adequate supply of labour tends greatly to increase the productiveness, and consequently the profit of the owner of an estate. But the fear of poor-rate has in practice been found very generally to prevail over other considerations. And, in many parts of Scotland, the levying of poor-rate, commencing in 1845, was immediately followed by the pulling down of cottages to an enormous extent. *The result is that a third of the whole people of Scotland now live in houses of one room*. This has been ascertained beyond denial by the census. Such a fact, with all that it implies, cannot be too often noticed, till the legislature is forced to deal with it, and to amend the ill-considered laws which have brought it about; of which laws one is the law for settling the poor in narrow parochial bounds."

The first and most serious anomaly in Irish Poor-law is the retention of small districts of poor-law rating like electoral divisions confined in some cases to a single property, contrary to the policy of the English statesmen who introduced poor-laws into Ireland in 1838, and contrary to the policy of parliament in dealing with the case of England in 1865.*

2nd. The non-extension to the Dublin Metropolitan District of the principle of Common Poor Fund of the London Metropolitan District.

The next subject to which I have to direct your attention is the non-extension to the Dublin Metropolitan district of the principle of the Common Poor Fund of the London Metropolitan district.

The London Common Poor Fund was commenced under Lord Palmerston's government in 1864, extended under Lord Derby's government in 1867, and still further extended to all workhouse relief in London by Mr. Goschen under Mr. Gladstone's government in 1870. The principle of social science on which this reform rests is probably best described in the first report of the Jewish Board of Charities for all London, quoted by Dr. Stallard in 1867 :—

"Formerly when the rich and the poor lived in close proximity, the association of locality afforded some kind of intercourse, imperfect though it was. The rich and poor were not, as now, estranged from each other.

"The character and wants of the poor could not escape observation altogether, and the wealthy, seeing the distress of their respectable and poorer neighbours, relieved them with a sort of discretion quite unknown since they have lived apart."

* For an account of the existing inequality in Ireland, see Appendix, p. 142.

This simple statement shows the extreme importance of guarding against the effect of our modern development of suburban railways, omnibuses, and tram cars, in separating the rich from the poor, and thus throwing an unfair share of the relief of the poor, upon the independent working-men just above them, who have from the exigency of their employment or their moderate means to reside in the poorer quarters of large cities.

The extent to which this took place in London may be estimated by the fact, that while the poor rates in Bethnal-green in 1867, before the Common Poor Fund attained the extension given to it by Mr. Gathorne Hardy and Mr. Goschen, were 3s. 11d. in the £1, while in St. George's, Hanover-square, the most fashionable parish in London, the rates were only 8d., and in the city of London, the centre of wealth and business, only 7d.

This state of affairs led to a discussion in the public papers, to books and pamphlets. From one of the ablest of these: *Dr. Stallard on Pauperism*, published in 1867, I select the following passages as stating the case of London. Referring to the city part of London pauperism, he says:—

“How many thousands who contribute to its wealth and to the prosperity of its merchants, live in the impoverished districts of Southwark, Whitechapel, and Bethnal-green, upon the inhabitants of which the burden of their poverty falls with crushing weight.

“Nothing can be more unjust than that the advantages of labour should be monopolized by one district, whilst its burdens, miseries, and misfortunes, are borne by another.

“London is one body for the mutual purposes of trade, business, and labour, and yet it is cut into divisions for the support of the burdens which those common purposes entail, and by a variety of causes these divisions are becoming more marked and more unjust.

“The burden of the poor is borne by the poor alone, and wealth, disowning its duty and its origin, flies away to the country and to the west, leaving poverty to shift for itself as best it may.”

After referring to the inadequate, unsatisfactory, and capricious system of relief that was the consequence of the variety of the rates charged for relief in different parts of London according to the then division of 39 rating districts. Dr. Stallard continues:—

“All these circumstances point to the necessity of treating the whole metropolis as a common town. The labourers employed in the suburbs cannot live there, and those who should be distributed over every part are congregated in localities already overcrowded, and the evil is increasing.

“This matters little so long as the man is healthy and in work, but the time comes when it is ruinous to those around him.

“Every part of the metropolis has an interest in the labourer, and is bound to support its share of the misfortunes which labour entails.

“The suburban land-owners are increasing the value of their property at the expense of those of the crowded parts of the town.

“There is not a single evil of parochial chargeability which is not illustrated in the metropolis with ten-fold force to what it was in the country before the introduction of the better system in 1865, and it is true that the same remedy should be applied.

“The area of chargeability must be extended and cannot stop short of metropolitan district, and it may eventually be of the whole county [of Middlesex]. For it cannot be doubted that the value of property of every

kind is greatly increased by its proximity to the centre of wealth, commerce, and industry, and that all who derive benefit from London labour should contribute to the burden which is associated therewith."

To the line of argument thus put forward parliament yielded by part in 1867, the year when it was published, and still further in the adoption of the Common Poor Fund for workhouse relief for the whole of the metropolitan district in 1870.

I have given so fully the reasoning by which the London Common Poor Fund was carried, because it is strictly applicable to every large city and large town in the United Kingdom.

In the ten years which have elapsed since 1870, the principle has been applied to the third largest town of Scotland, and the whole of Dundee is now in one combination for poor-law purposes; it has been partially applied to two parishes in Edinburgh where the difference of rating before its adoption was 2s. 10d. and 10½d.; and to two parishes in Glasgow where the difference of rating had been 2s. 2d. and 10d.

But there has been no application of the principle to the three unions that have divisions in the Dublin Metropolitan Police district; though that district has since 1838 been taxed for police on the London model, at an equal rate for the whole district.

Nothing can be more anomalous than treating Dublin like London, as one area for police, and then to sub-divide the area amongst three unions, and sub-divide the three unions into twenty-seven electoral divisions, with twenty-seven distinct rates for Poor-law purposes.

Why, again, should there be seven distinct ratings in Edinburgh, and six in Glasgow, and why should not the London Common Poor Fund be applied to them also. So far as Dublin is concerned, the differences of rating, 2s. 2d. in the city divisions where the workmen live, and 1s. 6d. in Rathmines, and only 1s. in the still more wealthy districts of Blackrock and Killiney—indicates precisely similar pressure on working-men, which led to the London Poor Fund in 1867 and 1870, and to the combinations in Glasgow and Edinburgh, in 1873.

Then, during the past winter we had the same sort of disorganization and discussion as preceded the change in London; meetings of the unemployed, deputations to the Lord Lieutenant and the Lord Mayor; some public subscriptions raised; the rules of relief relaxed in one Dublin union more than in others. Then the policy of assimilating the Irish to the English Poor-law was discussed at the South Dublin Union, and it was conceded in the discussion that some of the differences were entirely indefensible.

It follows then that the working-classes in Dublin have a fair claim to have the London Common Poor Fund principle of 1870, which was partially applied in Glasgow and Edinburgh in 1873, extended in 1880 to the three unions of the Dublin Metropolitan Police district, in order that they who reside chiefly in the city may no longer be taxed at more than double the rate of some of the wealthiest suburbs.

Should the Local authorities entrusted with the care of the poor in Ireland, have the same powers and the same duties as the corresponding authorities in England and Wales?

When the attempt to govern Ireland without a Poor-law, which was persevered in for 300 years with unsatisfactory results, was terminated in 1838, and a Poor-law was introduced, it was on the policy of identical legislation. So much was this the case, that only one Poor-law commission was created for both countries, and the English name, Guardians of the Poor, was conferred on the Irish local authority created by the Act of 1838. Unfortunately this wise policy of identical legislation was departed from after a few years, and a separate board created for Ireland, and the details of administration, which in England were left almost entirely to the Local Government Board to regulate, were in many important cases prescribed by imperial statute for Ireland, in acts applying to Ireland alone.

We have thus a differently constituted Local Government Board, with different powers, and different duties, and we have Boards of Guardians of the poor, also with different powers and different duties.

It is difficult to see on what principle the apparent distrust evinced by parliament of the Irish Local Government Board rests, which forces that board to appeal to parliament on emergencies, and for purposes which the English Board has not to do. If we look at this branch of the subject in a larger point of view, we have, as Dr. Ingram has so well pointed out:—

“A waste of social power, produced by this system of separate legislation for the different portions of the United Kingdom.”

He gives a graphic explanation of the way in which this waste takes place:—

“Waste of social power is produced by the system of separate legislation for the different portions of the United Kingdom. A valuable reform is pressed on the attention of our legislators, and they are induced to provide the legal sanction necessary for its practical working in England. But Ireland is excluded from the operation of the Act, and accordingly, when the same social needs arise in those countries, as they inevitably must in states of society so closely resembling that of England, the whole operation of enquiry, argument, solicitation, and legislation must be gone through over again in both, before the same facilities can be obtained for introducing changes admittedly beneficial to the public. Such a mode of proceeding is too clearly opposed to the spirit of our time to be much longer tolerated.

“The best safeguard for a poorer and less cultivated community bound by a legislative union to a richer and more advanced one, lies in identity of legislation, as far as possible, for both. When that is the practice, the stronger nation, in taking care of itself, takes care of its weaker partner. Every improvement which a powerful and enlightened public opinion effects in the one becomes, without separate effort, the property of the other. If this rule be carried out with relation to England and Ireland, the latter will be continually gaining the benefit of the larger experience and riper reflection of the former, and the union will be productive of real and undeniable blessings.

“This principle of identical legislation might doubtless be carried to unreasonable lengths. All practical rules—as the common sense of mankind has recognised—admit of exceptions. In some cases the par-

ticular historical antecedents or social condition of Ireland may recommend or even necessitate special legislation adapted to her circumstances. But identity ought to be the rule; and in every instance the onus of proving the necessity or advantage of diversity should be thrown on those who seek to introduce or maintain it."

The anomalies I have now to notice are all illustrations of the principles so well and so ably laid down by Dr. Ingram.

*Non-extension to Ireland of the improvement adopted in 1853,
in the case of Lunatics in England.*

In 1853 an obligation was imposed on the local poor-law authorities in England, of seeing that no lunatic was neglected. That law was not extended to Ireland. On the contrary, when the subject came to be dealt with in 1868, it was discovered that Ireland was under the system adopted in England in 1800, and that neither the improvements introduced in the care of lunatics in 1838, nor those introduced in 1853, applied to Ireland.

Here was a great opportunity of bringing Ireland at once to the level of the latest English improvement, but the opportunity was thrown away; and in 1868, fifteen years after the reform of 1853 was adopted in England, Ireland was only allowed to try the reform of 1838, which had been given up in England in 1853 as inefficient and unsatisfactory.

Now, what has been the result upon the helpless class so carefully cared for in England and Scotland? In the last official inquiry into lunatics in Ireland before 1868, it was reported that there were 1,500 neglected lunatics; but in a more recent inquiry in 1879, the number was estimated as having doubled, or increased to 3,000.

The lunatics in Ireland have, in many cases, to be kept out till they are dangerous, and show an intent to commit a crime, and during the past year 1,276 were so kept out. In England the number kept out till they are dangerous has, under the reform of 1853, fallen to two or three in the year. Now, why should the duties of guardians and other local authorities to this helpless class be different from what they are in England and from what they are in Scotland.

This state of the law as to lunatics affords a good answer to an argument sometimes used by some accomplished English writers—that if assimilation is to be carried out, the Irish poor-law is better than the English.

This line of reasoning entirely breaks down in the case of lunatics; for the Irish law as to them has been borrowed from the English law and practice, and the present Irish law, in the points in which it differs from the English law, is that which prevailed in England from 1838 to 1853, but was then (that is more than a quarter of a century ago,) condemned and superseded on account of its unsatisfactory results. The statement that the Irish law is better than the English, has therefore, in this case, no meaning.

The anomaly of retaining a condemned English law still in force in Ireland is the more remarkable, as the whole state of Irish lunatics was brought before parliament by Mr. Gladstone in 1869, when it was proposed to relieve this class exceptionally out of the Irish

Church surplus, upon a plan of dealing with that surplus which was not in the end adopted by parliament.

Again, the subject of the treatment of lunatics in the three kingdoms came before parliament during Lord Beaconsfield's administration, when the large contributions towards the cost of lunatics was made out of the general taxes.

For the justness of that contribution it is essential that the powers and duties of those who take charge of lunatics in England, Scotland, and Ireland should be equal, and it has been estimated that Ireland loses £25,000 a year of her fair share of contribution from the general taxes, owing to the more restricted duties and powers of the Irish authorities who have the care of lunatics assisted by the state.

The primary burden of this state of the law falls on so many of the families of the 3,000 lunatics, who from poverty are unable to supply adequate care. Next to these afflicted families, what class in the community are most deeply interested in having this anomaly terminated, and complete assimilation carried out?

It is obvious that if adequate relief is not afforded to lunatics, if they are kept out till they are dangerous and show an intent to commit a crime, it is those who reside in the most populous places and nearest to the poor, who are most likely to suffer; and this class, as I have already noticed, necessarily includes a large number of the working classes, represented at this Congress. It is therefore an anomaly appropriate for special notice here. It is, besides, one that has been officially noticed, and in three recent sessions of parliament, bills have been introduced to remedy it.

Difference in the powers and duties of Guardians in Ireland and England as to the care of Children.

Since the passing of the enactments of the Imperial Parliament imposing restrictions on the powers and duties of guardians in Ireland, different from those in England and Wales, public opinion has undergone a great change as to the duty of the guardians and others in respect of the case of children thrown on the state for support or for care.

These differences turn chiefly on the questions of rearing children in workhouses or boarding them out, and upon paying school fees for children, and enforcing the parental duty of education.

Upon the subject of boarding-out, a strong opinion has been formed from the great success of boarding-out in Scotland; from the results of its partial adoption in Ireland, and more recent adoption in England, at the suggestion of a very large and influential number of ladies who have formed visiting committees. Then, owing to the exertions of the State Charities' Aid Association founded by Miss Schuyler in New York, that State has passed a law against any children being reared in workhouses.

In England full effect has been given to this growth of opinion, and though latest to adopt the system, the English guardians are allowed to adopt it more completely and perfectly than the Irish.

As part of that system it has been found desirable to remove children from large cities to specially healthy rural districts to be

reared. In accordance with this, London guardians are allowed to send children as far as the northern counties of England, and some of the most interesting reports on the subject are those of Miss Preusser on the rearing of children of London unions boarded out at Windermere.

In Ireland a similar practice has been pursued for years by the Dublin Protestant Orphan Societies of sending Dublin children to the County of Wicklow. But ten years after the English guardians have copied the example of the Irish Orphan Societies, Irish guardians are still prohibited by imperial statute from copying the successful Irish example at their door. Though it was a visit, while on an excursion for the purpose during the Social Science Congress of 1861, of some English ladies to Protestant orphans boarded out in Wicklow, that led to the adoption and sanction of the practice in England.

Could there possibly be a greater anomaly in legislation than this? Could there be a stronger case to illustrate the wisdom of the English system of leaving the details of Poor-law administration so largely to the discretion of the Local Government Board, and by that Board to the discretion of the guardians, compared with the system pursued towards Ireland, of parliament, distrusting the Irish Local Government Board and the Irish guardians, and consequently at one time spending so much time in regulating relief in Ireland on different principles from what is in force in England, and at another time delaying for years to extend useful reforms to Ireland because Irish legislation and Irish questions occupy so much of the time of parliament?

Treatment of the Children of Widows and of Wives deserted or deprived of the protection and support of their husbands.

The boarding-out of children and other helpless classes, so long recognized as sound policy in Scotland, as shown by the able writings of Mr. Skelton and Dr. Arthur Mitchell, is increasingly recognized in Ireland, where the numbers of orphans and deserted children boarded-out with their mothers and others, have increased in a few years from 200 to 7,000, and in England where ladies' committees have been formed to watch over it, like those presided over by Mrs. Archer, Miss Preusser, Miss Hill, and the Hon. Mrs. Lowther, and has been completely adopted in New York.

This system rests upon the principle of appreciating the extreme value of family life, and of the importance of preserving it to the utmost possible extent. In the case of total orphans and of deserted children, it is thought worth while to try and create an artificial family for them, and to supply new family ties for those of which they have been deprived.

The English Poor-law carries out this principle in dealing with the children of widows, and wives who have been deserted or otherwise deprived of the protection and support of their husbands. But the Irish law regulated by statute in 1847, passed years before the modern growth of opinion on the subject, contains some anomalous provisions.

In the Evangelist's account of the restoration to life of the son of

the widow of Nain, it is specially mentioned that he was *the only son of his mother, and she was a widow.*

In Ireland the guardians are forced in every case to separate the child from the mother in giving relief, if she be a widow *who has only one child.* In England there is no such restriction; out-door relief in that case is left to the discretion of the guardians.

In England, in order to preserve family life, guardians may treat as widows, wives who have been deserted, or whose husbands are separated from them by being on foreign service as soldiers or sailors, or even when the husbands are detained in prison.

The number of children so relieved in England and Wales, when a classified return was published some years since, amounted to several thousands. In similar cases Irish guardians are restrained by statute from giving out-door relief, and consequently are forced to separate the children from the mothers.

The question is not one of mere numbers, however, for the observations of Dr. Stallard as to widows and orphans in London, is equally applicable to the children of deserted wives.

“The relief of this class is the most difficult and the most important duty undertaken by the guardians of the poor. Upon its successful management the diminution of pauperism mainly depends.”

Now why should guardians in Ireland be restrained by statute from following the advice of the ablest writers and thinkers in England on the subject, endorsed by the actual practice of English and Scotch guardians.

*Powers and Duties of English Guardians in the matter of
Education of the Poor.*

In all those parts of England and Wales which are not under school boards, comprising about 9,000,000 of the population, the duty is cast on the guardians of rural districts to appoint school attendance committees, to see that children attend schools; and as part of that duty they are empowered to pay school fees for those unable to pay.

This important state function was imposed by parliament at the suggestion of the late government, carrying throughout all England and Wales the principles which, under Mr. Gladstone's former government, Mr. Forster (now Chief Secretary for Ireland), had established for all Scotland, and for the part of England and Wales under school boards.

In the researches connected with the recent distress in Ireland, it appeared that there was a striking coincidence between the districts where the greatest distress prevailed, and those in which over 50 per cent. of the population spoke Irish in 1871.

With such patent facts disclosed, is it not a serious anomaly that guardians of the poor in Ireland should not have the like duties and like powers in respect of caring for and providing for the education of the children of the very poor, as the guardians in England and Wales.

The progress of poor-law reform is not a party question; it was commenced by Lord Grey's government, extended by Sir Robert

Peel, carried farther by Lord Palmerston, Lord Derby, and Mr. Gladstone; and the powers of guardians in the matter of education was the work of Lord Beaconsfield's government. I have quoted Sir Robert Peel for the general proposition of assimilation of Irish and English laws, and I will now quote Mr. Bright on the impolicy of restrictions on guardians in administration of the poor rates. Speaking of the action of the President of the Poor-law Board in England during the crisis caused by the American war in the cotton industry in Manchester, he says :—

“ I think he has shown that disposition which we should expect from him and the department over which he presides, to arm guardians in every district with powers to exercise a very wide discretion with regard to the treatment of this great evil.

“ The guardians are elected by a very large constituency in every union; they are spending, not the money of the Chancellor of the Exchequer, but the money which their constituents have recently paid into their coffers, and I believe there is no body to whom you could more safely entrust the spending the ratepayers' money than those to whom the ratepayers have themselves entrusted it. I think, therefore, the Right Hon. President of the Poor-law Board will be acting in accordance with true wisdom, and with the true instinct of humanity, if he does little or nothing to check the liberality of the guardians in the distribution of the resources entrusted to their care.”

Now, if this be a sound principle to act on, it follows that it is anomalous to give guardians of the poor in Ireland less powers, and to impose on them less duties in respect of the relief of the poor, than the guardians in England and Wales.

Effects of too restricted relief, and the classes most likely to suffer from it.

In the history of the 300 years that Ireland was without a Poor-law, we had extreme cases of the effects of inadequate relief, “ in the land famine and pestilence,” and we had what an old Latin author described as “ Evil counselling famine ” in the insurrection and other crimes that famine led to. Since 1838 we have had the similar, but not so great, effects of restricted relief.

The three crises of distress of 1847, 1863, and 1879 have all been marked by an increase of crime. So again, when we compare the crime of Scotland and England, we find the stringency of the Scotch Poor-law in depriving the guardians of powers to give any relief in-door or out-door to the able-bodied, marked by a serious excess of crimes against property, especially of crimes against property with violence. Now, to whatever extent an increase from restrictions in the powers of the guardians takes place, and that it does take place to some extent is beyond doubt, it becomes of importance to bear in mind who suffers most from it. It is obvious that any disease or crime will affect those most who have to reside in the same districts as the poor. Hence, the independent working-men who have, from the necessity of their employment, or from moderate means, to reside in the poorer parts of towns, suffer most.

We have seen that the tendency of the electoral division rating is to concentrate the poor in the towns and city electoral divisions in Dublin, and to tempt the guardians of those districts to be very rigid

as to relief. Now, in the Dublin district that suffers most of any place in Ireland under the Poor-law arrangements, from the combined absence of union-rating and common poor fund we have a degree of mortality to which the working-men have called attention, and an excess of crime which has been a matter of observation for some years. Whilst this Congress represents a great social influence for checking the growth of poor rates by teaching the working-classes the principles of mutual assistance and self-elevation, it also represents those who suffer most under their necessary proximity in residence to the poor from any disease and crime caused by too restricted relief.

Supposed effects of large districts of charge on indiscriminate relief.

It was supposed by many that the enlargement of districts of charge to union-rating and common poor fund would lead to wasteful management; it has however had precisely the opposite effect. Since the Common Poor Fund was commenced in London, the Charity Organisation Society, with its branches, or similar societies spread over England, has arisen. Then we have had conferences of Poor-law guardians, and the causes of pauperism examined, besides a large number of new charities started, so that the whole subject of poor relief was never so studied or so looked after as it has been since the union-rating and common poor-law fund has been adopted in England. Since then have arisen the thirty-nine district committees of the Charity Organisation Society in London, and the fifty-nine societies throughout England and Wales, besides three county associations; the societies before that date numbering only thirteen.

If there were the same proportion in Ireland for population, there ought to be twenty-two societies, whilst there has been only one similar society started in Ireland since 1844, and one of extremely limited operation. In Scotland, where the English proportion would give fourteen societies, there have been only seven started, and we have Mr. MacNeel Caird's statement, that in 1876 the Scotch were only beginning to consider the question of union-rating, which had been settled in England eleven years previously.

Whilst Union-rating and Common Poor Fund lead to vigilance, it leads to generosity of management.

One of the Irish Poor-law grievances that have been oftenest brought before parliament, is the law of poor removal. The grievance would entirely disappear if the recommendation for its abolition, made by a Select Committee of the House of Commons thirty years ago, and again made by another Committee in 1879 as to England and Wales, were adopted.

The important point to notice (as to the last report), is the generosity of the English witnesses under the training of large areas of taxation, compared with the narrow and more selfish views of the Scotch witnesses under the discipline of parish-rating, which is still retained there.

The Committee report :—

“In England there appears to be almost a consensus of opinion in favour of the relaxation of the present law, whilst many of the most experienced witnesses bear strong testimony to the desirability of the total abolition of the law of poor removal.”

The Scotch witnesses expressed a decided preference for the law to which they had been accustomed, and the committee partially yielded to that preference, for whilst they recommended the total abolition of poor removal in England, with singular inconsistency they recommended that the law relating to removal in Scotland should be only *gradually* assimilated to that of England. The opposition of the Scotch has since delayed the recommendation of the committee being acted on even as to England.

It is impossible to read the evidence of the Scotch witnesses, to compare it with the predictions of the great Scotch philanthropist Dr. Alison, in his paper at the Belfast meeting of the British Association, in 1852, and of the condemnation of the Scotch system of parochial rating at the Glasgow Meeting of the British Association, by Mr. MacNeel Caird, in 1876, without seeing that the first step for the solution of this poor removal question, from which the Irish labouring classes suffer so much in Scotch towns, where they are 1 to 6 of the adult male population, is the extension to Glasgow and Edinburgh, and Aberdeen, and other towns with more than one parish in town and suburbs, of the London Common Poor Fund system, and the like extension to every combination of parishes in Scotland, which is now united for the maintenance of a workhouse ; and the enactment that all relief given to those who have not a settlement in Scotland, shall be a charge to the common fund of the town and suburban parishes, or to the combination of other parishes.

Would the increase of State relief in Ireland diminish private charity?

It might be supposed that the increase of state assistance would in Ireland check private charity, and throw the whole burden on the state. We have, however, a very simple means of testing this.

In one branch of state assistance—the care of the deaf and dumb and blind—the Irish Poor-law was, from 1843 to 1865, in advance of the English. The result has been the erection of the admirable Roman Catholic charities for the deaf and dumb at Cabra, and for the blind at Merrion ; and the Protestant deaf and dumb and blind asylum at Belfast. In the case of all these charities large additions are made by private munificence and devoted service to the moderate assistance given from local rates.

So again in the case of Industrial Schools. In 1866 I was asked by the Reformatory School Union at Manchester, just as you have asked me, to state the case of Ireland as to industrial schools, and when I showed that Ireland had been unwisely and improperly omitted for years from the industrial school legislation, the subject was in the next session taken up by two Irish members (The O’Conor Don and Lord Emly), and equal laws in the main conceded.

In this way, through the invitation of an English philanthropic

society, by complying with their request, and by stating the case as I do now under similar circumstances at your request, the larger question of the Poor-laws, and urging then as now the great importance and justice of equal laws, especially in the case of protection of the helpless, I have the satisfaction of having been to some extent instrumental in having industrial schools extended to Ireland, an event I shall always look back to with satisfaction.

The result has exceeded my most sanguine expectations, and industrial schools have spread much more rapidly in Ireland than in England (with less assistance from the state), by the large sums of money which have been devoted to the object by private charity, and by the service of earnest religious people. These institutions have consequently been instrumental in supplying, in a very imperfect way no doubt, still to some extent, the want of enforcement of parental duty as to education, in which Ireland is nine years behind Scotland, and ten years behind England.

Other differences in the Poor-laws of Ireland and England.

To attempt an enumeration of all the differences in the poor-laws of Ireland and England, would far exceed the limits of an address, so I have confined your attention to the leading differences, to those you are most deeply interested in, and to those which best illustrate the anomalies of the present system of separate legislation on social questions. If the principles which the Congress contend for, and which I approve of, equal laws for a United Kingdom, in all cases where a reason for difference cannot be shown, be adopted, all arbitrary and unreasonable differences will disappear by a single enactment. The important business for this Congress, however, is to come to a conclusion on the applicability to Poor-laws of the principle of equal laws for the United Kingdom, and then leave your parliamentary committee to watch over the details of legislation and any exceptions to equal laws that are proposed.

Summary of conclusions.

I will now briefly summarize the conclusions I venture to submit for your consideration.

1. The suggestion of your parliamentary committee in 1879:—

“That nothing can be more calculated to promote contentment amongst Irish workmen than voluntary extension of liberties to Ireland, similar to those which English workmen enjoy,”

is a generous, just, and feasible line of policy.

2. It coincides with the policy enunciated by the great Sir Robert Peel, at the close of his career as Prime Minister:—

“That there ought to be established between England and Ireland a complete equality of all civil, municipal, and political rights, so that no person viewing Ireland with perfectly disinterested eyes, should be enabled to say a different law is enacted for Ireland, and on account of some jealousy or suspicion Ireland has curtailed and mutilated rights.”

3. One of the highest authorities on social science in Ireland, pronounced some sixteen years ago that this principle of equal laws

for a united kingdom is specially applicable to the subject of this address. In 1864, Dr. Ingram, in his address to the Irish Statistical and Social Inquiry Society, said :—

“The regulations of a Poor-law ought to be founded either on the facts of individual human nature, or on the relations and mutual duties of the members of a human family. Those facts are the same in Ireland as in England; those relations are alike sacred on both sides of the channel.

“The joint action of the Local Government Board and the guardians of each union is in England almost absolutely unrestricted. I do not see why in Ireland it should be hampered and fettered as it is.”

4. The Trades Union Congress representing 600,000 of the working classes, or from 3,000,000 to 4,000,000 of the population, by teaching mutual assistance and the elevation of the working classes by good conduct, energy, prudence, and the discipline of the members of the different trades upon one another, is one of the most powerful social influences of the present day for raising the largest possible number of the working classes above the necessity of being in any degree dependent on poor-laws.

5. In consequence of this effect of the organization which the Congress represents, it is specially entitled to form and to express an opinion on the administration of relief to the classes who are not so fortunate as to be protected by mutual assistance and trades societies, against the vicissitudes of their lot.

6. The retention of electoral division rating in Ireland, even in the modified form of the Act of 1876, is contrary to the policy of the English statesmen who introduced Poor-laws into Ireland in 1838, and contrary to the almost unanimous decision of parliament in establishing union-rating in England in 1865.

7. This electoral division rating system throws an undue pressure of poor rates and pauperism, with risk of attendant disease and crime, on the town electoral divisions, and more crowded parts of large cities, where the working classes have from the exigency of their labour and their moderate means, so frequently to reside.

8. For a like reason it is anomalous that the London Common Poor Fund principle, commenced by Lord Palmerston in 1864, extended by Lord Derby's government in 1867, and still further extended to all workhouse relief by Mr. Gladstone's government of 1870, is not applied to the three unions that have some of their divisions in the Dublin Metropolitan Police district, which was arranged on the London Metropolitan Police system.

9. The working classes of Dublin are specially interested in assimilation of Poor-laws for (1) Dublin suffers from both causes, want of union-rating and want of common poor fund; (2) the city divisions in which the working classes chiefly reside have to pay twice the poor rates paid by some of the wealthiest of the suburban districts in the three unions; and (3) (if there be any connection between restricted relief and disease), those residing in the city divisions are exposed to the maximum of disease and crime of any place in Ireland, and so have a special claim to have the English system for checking these evils tried in Dublin.

10. Owing to the powers and duties of guardians of the poor and

governors of lunatic asylums, and the Local Government Board in Ireland being different from those of the corresponding authorities in England, Ireland has been excluded from much of the improved legislation introduced in recent years in England, for securing that all lunatics shall be cared for, that the boarding-out of children shall be carefully provided for, that widows with one child and deserted wives shall not be unnecessarily separated from their children, and that the duty of educating all children shall be enforced, and the most helpless assisted by having their education paid for.

11. The adoption of union-rating and London Common Poor Fund has been followed by increased care in the administration of poor relief, increased development of charity, and of enlightened consideration for the poor, as shown by the foundation of the Charity Organization Society, and its hundred branches or cognate societies started in England and Wales since 1865, besides Poor-law conferences and county associations.

12. The adoption of the larger areas of taxation under union-rating and common poor fund has led to a generosity of management, as shown by the English witnesses before the Poor Removal Committee in 1879, consenting to the abolition of poor removal, while the Scotch witnesses, where parish-rating still continues, were opposed to it.

13. That entrusting local, and central authorities in Ireland with like powers as corresponding authorities have in England, in administering state charity to the poor, would encourage instead of checking private charity, is shown by the private contributions to the Roman Catholic charities for the deaf and dumb at Cabra, and the blind at Merrion, and to the Protestant institutions at Belfast, which have all been started since state assistance was granted in 1843, whilst the elder Protestant charities in Dublin for similar objects receive undiminished support.

14. The great progress of Irish industrial schools (chiefly Roman Catholic), though receiving less assistance from the state than those in England, attests the same conclusion.

Summary of suggestions for legislation to remove anomalous differences in Poor-laws.

15. While diversity of laws on elementary social questions in the three Kingdoms leads to complication and delay in legislation, the principle of equal laws would lead to great simplicity. Thus the whole of what has been suggested in this paper would be carried out, by simply enacting (a) that the powers and duties of local and central authorities charged with the care of the poor and helpless, shall be the same in Ireland as in England; and (b) that the town electoral divisions, and the crowded parts of large cities in Ireland (in which the working classes chiefly reside) shall not, in addition to being specially exposed to the disease and crime consequent on any defect in relief, be taxed on a different principle and a higher rate than rural or suburban electoral divisions, or suburban unions, in cases where more equal taxation has within the last fifteen years, under similar circumstances, been established in England and Wales.

APPENDIX.

Unequal Rates on Electoral Divisions in Ireland.

"The great difficulty in carrying out the suggestions made—of wholly withdrawing from the (comparatively) richer unions within the distressed districts, is much increased by the system adopted in Ireland of levying the poor-rate upon each electoral division, according to the actual needs and expenditure of such electoral division, *instead of upon the whole union as in England.* Thus it happens that the poorest parish is the one which is most heavily rated to the poor, and thus in comparatively rich unions districts exist which need help equally with those in unions which are much poorer as a whole. *In any future changes in the poor-law in Ireland, it would, I feel persuaded, be a great advantage to assess the whole union, or even the county, equally for the relief of the poor.* The difference in the rate collected in the various electoral divisions of the same unions varies in some cases from 6d. to 1s. 6d. or 2s., in others from 10d. to 4s. in the £1, and even in one case from 2s. 6d. to 4s. 6d. in the £1."—*Extract from Irish Distress and its Remedies*, by James H. Tuke, 1880, 3rd Edition, pp. 80-81.

IV.—*Report of Council at Opening of Thirty-fourth Session.*

[Read 30th November, 1880.]

Visit of Social Science Congress.

THE Council joined with the Town Council of Dublin in inviting the Social Science Congress to meet in Dublin in 1881, and the invitation has been accepted.

The Council invite the co-operation of all the residents in Dublin and the neighbourhood, who take an interest in social questions, to enable the Society to secure the preparation of papers and the conducting of researches on all the subjects that it would be desirable to bring before the Congress. If zealously supported, the Council feel that they will be able to secure as successful a meeting of the Congress in 1881 as in 1861.

Representation of the Society at other Associations.

The Society was represented at the Statistical Section of the British Association, at Swansea, by Mr. Constantine Molloy, who was chosen as Secretary of the Section. Dr. Ingram (ex-President), and Dr. Hancock, at the invitation of the Executive Committee of the Trades Union Congress, gave addresses at the meeting of the Congress in Dublin in September last.

*Legislation on matters the Society has taken an interest in.**Lunacy Legislation.*

The Lord Chancellor succeeded in carrying one branch of his Neglected Lunatics (Ireland) Bill—namely, the part which gave to

the County Courts a jurisdiction for protecting the person and property of lunatics, somewhat similar to what the Courts have over the persons and property of minors. This is a most important reform, which has been urged on Parliament for some years by the Scotch Lunacy Commissioners, and they succeeded in carrying a similar Act for Scotland (under the name of the Judicial Factor's Act) in the last short session. By these two Acts the Lunacy Law of Ireland and Scotland is now in advance of that of England and Wales.

When the Lord Chancellor has been so successful in one part of his Neglected Lunatics Bill, which the Scotch analogy assisted his lordship in carrying, the Council would strongly urge upon his lordship the importance of carrying the rest of the Bill, which he brought in in 1879 and again in the first session of 1880—it, too, rests largely on a Scotch analogy, as the Scotch are in some branches of the care of lunatics in advance of the arrangements in England. When Parliament has recognised the Scotch precedent as a safe guide in one branch of the subject, there is no reason why it should not recognise it equally in another.

As the Council of this Society took up the matter originally at the request of Lunacy reformers in England, and it was a report of the Charity Organisation Committee of this Society which led to his lordship introducing his Bill, the Council think it their duty to express a strong opinion on the urgency, after the report of the Commissioners of Inquiry as to the increase in the number of Neglected Lunatics in Ireland, of bringing the law as to lunatics in Ireland up to the standard of philanthropic and enlightened care of this afflicted class, which has been for so many years adopted in England and Scotland.

Limitation of Costs Bill.

In consequence of some facts disclosed in a paper read before the Society in February last—as to the cost of proceedings in ejectments in the Superior Courts, in cases where proceedings might be taken in the Local Courts—Mr. Errington, one of our members, brought in a Bill to meet the grievance, and the Bill passed the House of Commons, but was not fortunate enough to pass the House of Lords.

Summary Jurisdiction Bill.

The object of extending the principle of the Justices' Clerks Act of 1877 (preventing petty sessions clerks having a pecuniary interest in the amount of fines imposed, and amount of fees on proceedings in the Petty Sessions Court), was brought before the Society on the report of a committee and in a paper read last session. The Trades Union Congress, at Edinburgh in 1879, and again at Dublin in 1880, urged that this wise principle which, they had succeeded in carrying for England in 1877, should be extended to Scotland and to Ireland.

Mr. Errington and Sir Patrick O'Brien brought in a Bill to carry this reform for Ireland, but at too late a period to allow of more than the Act being printed. Their Bill also included the extension of

the important and valuable principles of the Summary Jurisdiction Act, 1879, to Ireland.

The Trades Union Congress expressed a strong opinion, both at Edinburgh in 1879, and in Dublin in 1880, in favour of this reform—urging that the reforms which Parliament conceded at their advocacy to the working classes as just and right, ought to be promptly conceded to the same classes in Ireland.

No question has been more frequently brought before our Society in recent years than the one of which this is a branch—equal laws of the whole United Kingdom, in all cases where some plain and valid reason for the difference cannot be shown ; and we think there could not be a better case or opportunity of commencing a systematic effort to secure equal laws, than by the Government promptly conceding the reasonable request of the Trades Union Congress for having the principle of the Summary Jurisdiction Act, 1879, extended to Ireland and Scotland.

Industrial Schools Acts Amendment Act.

The extension of this important reform, suggested by an English philanthropist, to Ireland, was owing to the vigilance of Sir John Lentaigne, the Inspector of Industrial Schools, and to the assistance of the Solicitor-General for Ireland in Parliament.

Papers Read during the Session.

The papers read were on the following subjects:—

An Obituary Notice of the late Alexander Thom, Esq., Vice-President.

Mr. Jephson read a paper on Suggestions for the Irish Census of 1881.

Mr. Molloy read Report of the Council on Mr. Jephson's Suggestions.

Mrs. Haslam read a paper by Mrs. Morgan John O'Connell on Poor-law Administration as it affects Women and Children in Workhouses.

Miss Emily Foote read a paper on the same subject, presented by the President, which had been given to him by the late Miss Menella B. Smedley.

Dr. Hancock read a paper entitled Some Statistics on Points raised by Mrs. O'Connell's and Miss Smedley's Papers.

Mr. James McDonnell read a paper on the Simplification of Title to Land, to facilitate Transfers and Prevent Frauds, and on the Report of Irish Commissioners of Inquiry into Registration of Deeds and Insurances.

Mr. Edge read a paper on the Bright Clauses of the Land Act.

Mr. Murrough O'Brien read a paper on Rent.

Dr. Hancock read a paper on the Equal Importance of the Education, Poor, Cheap Law for Small Holders, and Land Questions at the present crisis ; and a further paper on same subject, with special reference to Migratory Labourers.

Mr. Dodd read a paper on the Extension to the Dublin

Metropolis of the System of Common Poor Fund, adopted in the London Metropolis.

Dr. Hancock read a paper on the Law Reforms which have been successfully advocated by the Trades Union Congress, and on the further reforms which they now seek.

Mr. Campbell read a Notice on the Books and Pamphlets presented by the late Sir Thomas Larcom to the Society.

Dr. Hancock read a paper on the Scotch part of the Poor Removal Question.

Codification and Statute Law Revision.

By the appointment of the Criminal Code Commissioners, including Ireland, the principle of codification was conceded by Parliament as important. There is no point the Trades Union Congress press with greater urgency than the importance of a Criminal Code, not for indictable offences alone, but for summary jurisdiction with which their affairs are most concerned. This we think a very reasonable demand. The whole law of France was codified by Napoleon eighty years ago. The principal state in America has had for some years a Code of Civil Procedure, and a Code of Criminal Procedure. As a step to a Code, statute law revision, which our Council has been urging for some years, is of great importance.

The Irish work on this subject has, after some delay now been completed in detail; but a further delay has occurred in giving the public the benefit of the results, as there is no officer connected with Parliament charged with the duty of publishing revised statutes. So after all the expense has been incurred, the public are still deprived of the practical benefits of revision for the trifling cost of issuing a single volume of Revised Statutes.

The results of revisions in England were at once secured by the prompt issue of Revised Statutes.

When the differences of the laws of England and Ireland form a grave matter of discussion at the present moment, it is a serious matter, that the results of the Revision of the Irish Statutes should remain so long unpublished.]

What the Statistical and Social Inquiry Society has effected since its foundation in 1847.

As the Social Science Congress are meeting in Dublin next October, the Council annex a Memorandum, giving a sketch of what the Statistical and Social Inquiry Society has effected in the thirty-three years of its existence. It was originally drawn at the request of Mr. Pim, when President, and has been brought up to the present time, in the hope that the citizens of Dublin will strengthen the Society to enable it to give the Congress a suitable reception.

V.—*What the Statistical and Social Inquiry Society of Ireland has effected (1847-1880).*

[Appendix to Report of Council].

WITHOUT referring to the dissemination of sound statistical knowledge and a knowledge of Political Economy, and the correction of erroneous impressions, and the saving of waste of capital by discouraging such enterprizes as the attempt to manufacture sugar from beet root in Ireland, or the attempt to grow flax in districts not suited for it, the most definite measure of what the Society has effected is the extent to which the Society has contributed to the formation of public opinion upon questions that have been actually successfully legislated upon. This is the function which such bodies as the Statistical Society and the National Association for the Promotion of Social Science have been recognized by the press as specially fitted to discharge.

1847.

The Society was founded by the then Whately Professor of Political Economy in the University of Dublin, in November, 1847. In 1848 the first imperfect Incumbered Estates Act was passed, which proved a total failure; and the first great measure which the discussions of the Society led up to was the second Incumbered Estates Act of 1849, which initiated the Incumbered Estates Temporary Commission, ultimately merged in the Landed Estates Court, and which has proved one of the largest and one of the most successful measures of law reform ever passed for Ireland. The measure was preceded by a series of papers on the legal impediments to the transfer of land, by one of the Secretaries, in which the principles of the measure of Parliamentary title, or extension of the doctrine of "market overt" to land, and any creditor being allowed to sue, were sketched out. This was followed by the examination of three officers of the Society—Dr. (afterwards Judge) Longfield, Mr. (afterwards Mr. Justice) Lawson, and Dr. Hancock—before the Parliamentary Committee whose inquiries preceded the passing of the second Incumbered Estates Act.

1850.

Lord Romilly's Map Registration Act.

In 1850 Lord Romilly's Registration of Deeds (Ireland) Act was passed, embodying the plan of making use of the Ordnance Survey maps as the basis of registration. In November, 1849, a paper had been read by one of the Secretaries on the utility of making the Ordnance Survey the basis of a General Register of Deeds and Judgments in Ireland. The Act of 1850 was not to come into operation until Land Indexes, under the direction of the Treasury, at the cost of the general taxes, had been completed. The Tenement Valuation, long since completed at local cost, contains in itself perfect land indexes, so that no real impediment exists to the carrying

out of the principle sanctioned by Parliament in 1850, by that Act (Lord Romilly's Act); but it nevertheless, after the lapse of a quarter of a century, still remains a dead letter.

1852.

Irish part of Patent Law Reform.

In 1852 the Patent Laws were reformed. Before that year the cost of a patent in Ireland was £135, while in Scotland it was only £75. The cost of a patent for the whole of the United Kingdom was £376, whilst the highest cost to a native in any foreign country was only £80. The defects in the Patent Laws as affecting Ireland had been pointed out in a paper by one of the Secretaries, published by the Society in 1850, and one of the objects to which the Social Inquiry Fund was applied in 1851 was obtaining a report by Mr. (now Mr. Justice) Lawson in the Patent Laws, which was of use in carrying the general reform, and secured the complete removal of the special Irish grievance on this question.

1853.

Removal of Exemption of Real Property from Legacy Duty.

In 1853, in the first of Mr. Gladstone's financial budgets, the injustice of having personal property liable to legacy duty, while real property was exempted, was redressed by the introduction of the duty on succession to real estates. The injustice, thus redressed, was strongly pointed out in a paper "On the general principles of taxation, as illustrating the advantages of a perfect income tax," read by one of the Secretaries, in November, 1850.

1856-'57.

Probate Court Established.

In 1856-'57 the antiquated and complicated jurisdiction as to wills was abolished, and a Probate Court substituted in England, and another Probate Court in Ireland. The carrying of this great reform required a strong expression of public opinion, and in 1852 part of the Social Inquiry Fund was employed in obtaining a report from Mr. (now Mr. Justice) Lawson "On the present state of the law and practice in Ireland with respect to wills and the administration of assets."

1858.

Reformatory Schools Act passed.

In 1858 the Reformatory Schools Act was passed for Ireland. Four years previously, the late Mr. W. Harvey Pim had read a paper on the importance of reformatory establishments for juvenile delinquents.

1860.

The French Treaty and the Wine Duties.

In 1860 the great feature of one of Mr. Gladstone's budgets was the reduction of the duty on French wines as part of the policy of

extending free trade by treaty with France, in the negotiation of which Mr. Cobden took so large a part. Seven years before, in 1853, Mr. Dunbar Ingram (afterwards a leading member of the Indian Bar), read a paper "On the wine duties and their effects on the commercial relations between the British dominions and France."

1860.

Landlord and Tenant Consolidation Act.

In 1860, Lord Cardwell's Landlord and Tenant Consolidation Act and Landed Property, Ireland, Improvement Act were passed. Nine years previously a portion of the Social Inquiry Fund had been devoted to secure a Report from the late Mr. Robert Longfield, "On the legislative measures requisite to facilitate the adoption of commercial contracts respecting the occupation of land."

1861.

Post Office Savings Banks.

In 1861, the Act was passed for establishing Post Office Savings Banks. Nine years previously, shortly after the failures of the Cuffe-street Bank in Dublin, and the Killarney and Tralee Banks in the south of Ireland, one of the Secretaries, in a paper entitled "What are the duties of the public with respect to Chartered Savings Banks," had proposed Post Office Savings Banks, with absolute security, as a remedy for the defective system of the trustee banks, under which the depositors had lost so much.

1862.

Partnerships of Limited Liability.

In 1862, the law was passed for the complete recognition of Limited Liability Companies. Eleven years previously, in November, 1851, Mr. Jonathan Pim (afterwards M.P. for Dublin) had read a paper on "Limited liability in partnerships," and in 1852 part of the Social Inquiry Fund was applied to secure a Report from Mr. (afterwards Master) Colles, "On the policy of limited liability in partnerships."

1862.

Boarding-out of Pauper Children.

In 1862 the first Act was passed, enabling orphan and deserted children to be boarded out, under the Poor-law. There are now 1,500 children boarded out. This important reform had been preceded by papers read in 1859—(1) by one of the Secretaries "On the importance of substituting the family system of rearing orphan children for the system now pursued in our workhouses," and (2) a paper by Mr. John O'Hagan, entitled "Observations on Dr. Hancock's plans for rearing poor orphans in families instead of placing them in workhouses," and by a paper in February 1862, by Professor O'Shaughnessy, entitled "Some remarks on Mr. Archer's scheme for befriending orphan pauper girls."

1863.

Registration of Births, Deaths, and Marriages.

In 1863 the system of Registration of Births, Deaths, and Marriages was introduced, somewhat similar to what had existed in England for twenty-seven years previously. Five years previously the Council of the Statistical Society had appointed a committee which made a special report on the subject in 1858. This report was followed by Lord Mayo's Bill of 1859, and in 1860 a paper was read by Mr. Arthur Moore, entitled: "Registration of Births, Deaths, and Marriages in Ireland: Observations on the late Government Bill of 1859."

1865.

Record of Title Act.

In 1865 the Record of Title Act was passed, mainly based on the plan of Sir Robert Torrens: which he had brought forward in the Society two years previously in a paper "On the transfer of land and registration of title." Sir Robert Torrens was assisted by Mr. Henry Dix Hutton, one of the Secretaries of the Society.

1865.

Land Debenture Act.

In the same year, 1865, the Land Debenture Act was passed. This originated in a paper read by Judge Longfield six years previously, entitled "A proposal for an Act to authorize the issue of land debentures in connection with sales made in the Landed Estates Courts, with a copy of the proposed Act."

1866.

Sanitary Act.

In 1866 Ireland was in a very backward state as to sanitary legislation, being still under some Irish Acts of 1818 and 1819 passed before the poor-law guardians or any of the modern town authorities had been constituted, and under English Acts of 1848 and 1849 which had been repealed for England in 1855. To the passing of the Sanitary Act, 1866, Dr. Mapother, now President of the Statistical Society, contributed three remarkable papers; in February, 1864, "On the sanitary state of Dublin;" in February, 1865, "On the differences between the statutes bearing on public health for England and Ireland;" and in December, 1865, on the "Unhealthiness of Irish towns, and the want of sanitary legislation."

1870.

Irish Land Act.

In 1870 the Land Act, introduced by Mr. Gladstone, was passed. A number of papers had been read on the land question in the twenty-three years which had elapsed from the foundation of the Society to 1870. The authors were—Judge Longfield, Mr. Justice Lawson, Lord Emly, Mr. Jonathan Pim, Mr. James Haughton, Dr. Hancock, Mr.

Conway Dobbs, Mr. Sergeant Heron, Professor Hearne, Mr. Greer, M.P., Mr. Dix Hutton, and Mr. Ross; besides these, out of the Social Inquiry Fund, and a special fund placed at the disposal of the Society by Mr. Jonathan Pim, reports had been made by Mr. Robert Longfield, Q.C., and Mr. Randal McDonnell, Q.C.

1872.

Irish Statute Law Revision.

In 1872 an Act was passed for the revision of the statute law of Ireland, so far as it was affected by the English Acts extended to Ireland of Poyning's Law of 10 Henry VII. This reform had been strongly urged by the Council of the Statistical Society in one of their Reports, of November, 1871.

1872.

Extension of Local Government Acts to Ireland.

In 1872 some of the provisions of the English Local Government Acts were extended to Ireland, and this has been carried further by subsequent Acts. This reform was advocated by Mr. John Hancock, in February, 1869, in a paper entitled, "Should the Local Government Acts be extended to Ireland," and one part of the question was dealt with in a paper by Mr. Heron, "On the means of diminishing the expense and delay of passing local and personal Acts relating to Ireland through Parliament."

1872.

Introduction of Money Orders into the United States, and between Ireland and United States.

In 1872, when Lord Emly was Postmaster-General, the Council pressed on his notice the importance of having money orders established between Ireland and United States, and this reform, so valuable to emigrants, was carried. The bringing of this subject under the notice of the American Consul in Dublin, seven years previously, by one of the Secretaries, had contributed to the establishing of the money order system in the United States.

1874.

Extension of Civil Bill Jurisdiction to matters of Title.

In 1874 a limited jurisdiction in matters of title was conferred on the Irish Civil Bill Courts. This reform had been recommended by Mr. Constantine Molloy in 1870, and by Mr. George Orme Malley, Q.C., in 1872.

1876.

The session of 1876 was marked by the passing of the largest number of reforms that had been advocated in the Statistical Society of any year since the Society was founded.

Restraint on Poor Removals from England.

(1) A most powerful check was put on poor removals of persons of Irish birth from England and Wales, by giving such persons a

settlement in England after residing for three years in one parish. The evils of poor removals had been brought before the Society in a paper by Dr. Hancock in 1871.

Cost of Deaf, Dumb, and Blind, made Union charges.

(2) A great step was made towards union-rating in Ireland, by making the charge for the deaf, dumb, and blind a union charge.

Portion of charges of Indoor Relief transferred from electoral divisions too highly rated.

(3) A further step in the same direction was made by a power of transferring part of the workhouse charges for indoor relief from one electoral division rated above a certain sum, upon the other electoral divisions of the same union. These reforms had both a tendency towards assimilating the Poor-laws in the two countries, so strongly advocated by Dr. Hancock in 1862, and by Dr. Ingram, in his address as Vice-President, in 1863, and in a paper read by him in 1864.

Boarding-out of Pauper Children extended to thirteen years of age.

(4) A further extension of the boarding-out of pauper children was permitted in the Act, allowing them to be boarded-out up to thirteen years of age. Dr. Ingram brought this reform forward in his address, as Vice-President, in November, 1875, and further advocated it in a paper read in January, 1876.

Admiralty jurisdiction conferred on Recorders of Belfast and Cork.

(5) An Act was passed conferring Admiralty jurisdiction on the Recorders of Belfast and Cork. This reform was specially recommended by a committee of the Society in January, 1870.

Abolition of Market Juries.

(6) Jurors in Dublin and other towns were partially relieved by the abolition of market juries, an antiquated and obsolete institution, that had been superseded by the police and other local authorities. This reform had been specially recommended by a committee of the Society in 1874, which was appointed to examine the causes of the excessive summoning of jurors in the City of Dublin.

Balloting for jurors as in Civil Cases extended to Criminal Cases.

(7) The principle of balloting for jurors to settle the order in which they should be called in court, which has so long prevailed in civil cases, was extended to juries in criminal cases. This change was suggested so far back as 1865, in a paper read before the Society by Mr. Constantine Molloy.

1877.

Extension of jurisdiction of Irish County Courts.

In 1877 the Irish County Officers and Courts Act passed, embodying reforms which had been advocated in several papers read before the Society.

1878.

Ante-Union Statute Law Revision.

In 1878, progress was made in the revision of the Ante-Union Statutes, which had been frequently advocated by the Council.

Relief of Blind and Imbecile.

The Poor Afflicted Persons Relief Act was passed, effecting some salutary reforms in the mode of providing for the blind and for imbeciles. A clause which would have allowed the same amount of assistance that is given to cripples' homes in England was unfortunately struck out in the passing of the Act through Parliament.

1879.

Ante-Union Statute Law Revision.

In 1879 the revision of the Ante-Union Statute Law was completed, and the Council made representations to the Government with a view to have a revised edition of the Ante-Union Statutes issued, as in England.

1880.

County Court Jurisdiction in Lunacy Act.

In 1880 the County Court Jurisdiction in Lunacy Act, carried by Lord O'Hagan, was a reform recommended in the Report of one of the Society's committees, similar to a reform passed in the same session for Scotland, but which has not yet been adopted in England.

Limitation of Costs Bill.

The limitation of Costs Bill of Mr. Errington, which passed the House of Commons, but was not successful in the House of Lords, arose from some facts disclosed in a paper read in the early part of the session.

Such being the evidences of the practical utility of the Society in matters of legislation, it only remains to notice that the Society discharges an important function in keeping the progress of Ireland up to the rest of the United Kingdom in the important subjects which fall within its discussion.

Co-operation with Economic and Statistical Section of the British Association.

In 1857 the Society took an active part in the second reception in Dublin of the British Association for the Advancement of Science, and supplied the local officers for the Section of Economic Science and Statistics—Archbishop Whately, the then President of the Statistical Society, being president of the section. In 1878 the Council joined with the Town Council, Trinity College, and other leading bodies in Dublin, in the third reception of the Association, when Dr. Ingram, the President of the Statistical Society, was chosen president of the section.

Co-operation with the National Association for the Promotion of Social Science.

The branch of the Statistical Society for promoting scientific

inquiries into social questions commenced in 1850, thus preceding the National Association in the promotion of social science by six years. The Society was able to take an active part in the first reception of the National Association in Dublin, at an early period of its existence, in 1861; and has joined with the Town Council of Dublin in inviting the Association to pay a second visit to Dublin in 1881—an invitation which has been accepted.

Co-operation with the Charity Organisation Society of London.

The Statistical Society has, by the formation of a committee to collect information, been able to supply some at least of the valuable functions discharged by the London Charity Organisation Society. On one subject in particular, at the invitation of Sir Charles Trevelyan, the Charity Organisation Committee of the Statistical Society was able to take an active part in promoting his plan of improved provision by the state for the care of imbeciles, idiots, and the deaf, dumb, and blind.

The origin of the co-operation of the Society being thus sought, affords an evidence of the utility of its proceedings. It was a paper read twelve years previously, January, 1864, by Mr. Jonathan Pim, "On the necessity of a state provision for the education of the deaf and dumb, and blind, and imbecile," which led to this result.

Co-operation with the State Charities Aid Association of New York.

The railway and financial crisis in America produced a large amount of distress, especially in New York. This gave rise to the active exertions and researches of the Charities' Aid Association of New York. Amongst these researches importance was attached to a paper published by the Statistical Society, so far back as 1851, summing up the results of researches during the Irish famine, and pointing out the paramount importance of investigating the causes of pauperism. From this and another paper on Poor-laws, the State Charities' Aid Association of New York, elected Dr. Hancock as an Honorary Corresponding Member of their Society. The case of the London and New York Associations show that at this moment papers read some years ago in our Society are influencing the course of charitable effort in two of the greatest centres of human population in the world.

Barrington Lectures on Political Economy, and the Trades Union Congress.

A committee of the Society has for upwards of thirty years had the management of the trust, amounting to £4,000, left by Mr. Barrington of Dublin, for teaching political economy in a popular form in a way to reach the working-classes. Two of the courses of lectures are given in Working-men's Clubs in Dublin, and Mr. Murphy, the Dublin working-man who was selected to preside at the recent Trades Union Congress, had obtained a certificate for proficiency in Political Economy at an examination of a class in Political Economy, conducted under the Barrington Lecture Trust.

VI.—*Notice of the Books and Pamphlets bequeathed by Sir Thomas Larcom to the Society.* By J. H. M. Campbell, Esq.

[Read 6th July, 1880.]

My object in this paper is to bring before your notice the bequest of books and pamphlets which this Society has recently received under the will of the late Major-General the Right Hon. Sir Thomas Larcom. The collection comprises in all about 550 volumes, dealing with subjects directly concerned with the social and economic condition of Ireland during the present century, and will be found to be a store-house of the most valuable information for the historian, the economist, and the statesman. There are about twenty-six volumes containing the survey of the different counties in Ireland, a number of valuable geological treatises, and the Parliamentary Reports for the last thirty years of all the commissions appointed to consider such questions as the poor-law, the drainage Acts, and the land laws of Ireland. In the list are also to be found the works of all the best known authors of recent years upon the social and political condition of Ireland, together with a number of volumes in which are bound together pamphlets treating of the same subjects. But the most important portion of the collection, and the one to which I wish more especially to direct your attention, consists of 136 volumes of letters and papers, all uniformly bound, and all put together upon a similar principle. Upon the back of each volume is stamped the particular subject and the particular years of which it treats, while upon the leaves inside, somewhat after the fashion of a scrap-book, are pasted extracts from reviews and newspapers, together with pamphlets, letters, and official reports; while not unfrequently the pages are filled with the handwriting of Sir Thomas Larcom himself. Each volume contains a summary of its contents upon the title page, while at intervals between the leaves are inserted small pieces of paper denoting upon their margin the particular writer whose pamphlet is therein inserted, or the particular portion of the subject treated of at that part of the volume. The compilation of these volumes, the mere manual labour of which must have been considerable, was undertaken and carried out by Sir Thomas Larcom himself; and from it we can realize somewhat of the energy of one who, though busied and hurried in the affairs of state, nevertheless in the short hours of his leisure found time to collect and leave behind him such useful memorials of his industry.

The collection seems to have been commenced by Sir Thomas Larcom about the year 1850; and from that time to his death, in 1879, he allowed no opportunity to escape him of adding to his information upon the different social and political agitations in Ireland; and whether it was a debate in the House of Lords, or a discussion in the Mechanic's Institute, an essay from the *Edinburgh Review*, or a leading article from the *Skibbereen Eagle*, all have been alike carefully preserved by him, and inserted in these volumes. Eighteen volumes of this series are devoted exclusively to the condition of Ireland from the years 1856 to 1879; and of these, the last volume contains but one

single entry—a newspaper account of the Lord Mayor's banquet in 1879, which must have been inserted by Sir Thomas a very short time before his death. The most interesting matter in these volumes is the private correspondence between Sir Thomas Larcom and successive English governments, containing autograph letters from such statesmen as Earl Russell, Viscount Cardwell, Mr. Gladstone, Mr. Lowe, and the Earl of Mayo. The statistics of crime, of emigration, and the poor-law system, are also faithfully recorded, as well as all the official returns relating to the commerce of the country; and in fact it may be safely asserted that no matter of any importance relating to the economic or political condition of Ireland, that appeared in any public print during the years 1850 to 1879, escaped the industrious scissors of Sir Thomas Larcom. The volume dealing with the condition of Ireland from 1850 to 1857 contains two valuable papers prepared by Sir Thomas—one for Lord Clarendon in 1851, and the other for Lord St. Germans in 1854, besides a most interesting paper upon the financial position of Ireland, contributed by the late Mr. Murray, the then chief officer of the Provincial Bank. In the volume upon the condition of Ireland in the year 1860, there appears in the handwriting of Sir Thomas an elaborate essay tracing the progress of Ireland from the Union in 1800, which as appears from a letter of Lord Cardwell's, was specially prepared for him at his own request when Chief Secretary for Ireland. To this essay there is prefixed a note by Sir Thomas, though it is evident that it was added a long time after 1860, and probably but a short time before his death. I give it here as it stands, affording as it does a remarkable refutation of the charge that the interests of Ireland have always been disregarded by English governments.

“The object of every successive government, however, differing in the politics and views of party, have been to anticipate and assist the wants and energies of the people of all classes and creeds. I say of every government, for I have been for more than thirty years more or less closely in contact with every Irish government in pursuit of industrial and social objects; and in this respect I never could see any difference between them.”

One large, volume which deals exclusively with the Irish jury system, is of especial interest; and as it affords a good illustration of the general arrangement and formation of these books, I have left it upon the table for inspection by the meeting. It opens with copious extracts from the public press demonstrating the necessity of reform: and then we have the introduction of Lord O'Hagan's Act in 1871, with the discussions thereon, until the final passing of the Act. Next we find unceasing complaints as to the working of this Act, and the frequent attempts at reform are traced down to the year 1878.

Another volume of equal interest deals with the question of Irish Taxation. It opens with several letters from Mr. Gladstone in reference to the cry that was being raised in 1863, as to the injustice of Irish Taxation, and then follows an account of the Parliamentary Committee appointed to consider the question in 1864, and presided over by Colonel Dunne, and the remaining history of the question is traced to the year 1876.

The spirit which animated Sir Thomas Larcom in all these works

is perhaps best indicated by the closing passage of the address which he delivered as Vice-President of this Society on the 18th of June, 1850, when the country was just recovering from the effects of the famine of 1847.

After referring to some evidence of progress in Ireland, he concludes in words that have an application at the present moment:—

“There is a dark side indeed to this picture, it is for the future that the horizon glows into hope. The present is yet dreary; we cannot in the temporary exultation of a favourable harvest forget that its benefits will not immediately reach the desolation of Kilrush, cultivate abandoned fields, or obliterate the footsteps of disease and death. But we may hope that the worst is passed—a gloomy night may herald a brighter day. We are not to despair, but to exert ourselves to devote all our energies and faculties to the task. Every one of us, in his appointed station, must bend to the oar; every man must do his duty, and look in confidence for that blessing on our labours which never fails those who seek it in honesty and truth.”

Time will not permit me to deal at any further length with this valuable series of 136 volumes, every one of which would well repay perusal. Two volumes give the history of Land Registration before and subsequent to the passing of Lord Romilly's Act, with an account of the efforts made by Sir Thomas Larcom to have the Ordnance Survey made available for the purpose. Trades Unions and their combinations from the years 1870 to 1874 occupy two volumes, while others are devoted to the consideration of such municipal reforms as the establishment of a Fire Brigade, the opening of New Cattle Markets, and of Stephen's Green, and the rebuilding of Carlisle Bridge—reforms which have since passed from the region of discussion to become existing realities.

The interest evinced by Sir Thomas Larcom in the Statistical Society is testified to in a remarkable way, by the care with which the accounts of its meetings and its published reports have been preserved by him. In a volume of pamphlets I find a copy of the prospectus issued by this Society upon its foundation in 1847, with the name of Captain Thomas Larcom as one of the two first Vice-Presidents; and in the same volume he has inserted the original manuscript of a speech delivered by him when proposing, at a meeting called for the purpose in 1847, that a Statistical Society should be founded in Dublin. From these facts we learn not only the importance of attaching to our ranks and interesting in our pursuits men in official positions like the late Sir Thomas Larcom, but we can also appreciate the share that the discussions and publications of this Society contributes to the solution of social and political problems in Ireland, and can afford to despise the blindness of those who can see in our pursuits nothing but what is visionary and impracticable.

To the character of Sir Thomas Larcom himself these volumes bear a remarkable testimony—showing as they do the unremitting industry and honest determination with which he applied himself to the duties of his office. In the most dangerous and doubtful crises he never abandoned the post of duty; but, as Lord Cardwell says in a letter to him in the year 1868, he remained like a sailor tied to the helm in a dark night and on a stormy sea. From the year

1850 to his death in 1879, some years after retiring from office, his interest in collecting materials for these volumes which he has bequeathed to our Society seems never to have flagged, except upon the occasion of Lord Carlisle's death in 1864. Upon this event he writes as follows :—

“ Without the stimulus of having to prepare information for that good man and dear friend, I should hardly have taken the trouble year by year to collect and methodise the numerous original papers which the former volumes of this series contain ; and it is not likely I shall continue it, nor is it necessary, for able men with sufficient leisure to do so better than I can, are now available.”

In 1867 he was offered the presidency of the Statistical Society ; but this was only a year before he retired from the office of Under-Secretary for Ireland on account of broken health. He has preserved in the volume for 1867 on Irish Railways, the letter of one of the Secretaries referring to his being unable to accept the presidency.

“ I regret your decision about the Statistical Society ; but we could not think of pressing you in the slightest degree. Your acceptance would have been agreeable to the Society, as you are an original Vice-President, elected in 1847, on account of your services on the Census of 1841, and you are generally looked up to as the founder of scientific statistical research in Ireland. Your time is, however, so occupied that the slightest addition to your engagements is a burden which we at first hesitated to impose, and which you very fairly ask to be relieved from.”

He had been honoured by the Queen with many marks of approbation for his services—a Baronetcy, Knight Commander of the Bath, and Privy Councillor—and allowed to retire on the highest pension, full pay, yet his preserving this letter shows how he appreciated the estimation in which he was held by those who cultivated statistical science in Ireland ; and he entrusted the Society with the remarkable collection which I have endeavoured to describe.

It is right to notice that Sir Thomas Larcom has left to the Royal Irish Academy and to the Library of Trinity College other collections.

So far back as 1860 he had induced the Government to present to the Royal Irish Academy, 149 volumes of materials for the Ordnance Survey, which had been arranged by him when in charge of that department, containing extracts from the reports and correspondence, history of the names of each parish or place of interest in Ireland, opinions of the General on many of them, with explanations of the names.

At his death he bequeathed from 200 to 300 volumes to the Academy, relating to Irish History and Irish Antiquities.

To the Library of Trinity College he left 60 volumes of letters and papers relating to Church and University Questions, and Religious Dissensions, and Orange Anniversaries, bound in the same manner as the 136 volumes above described in the bequest to the Statistical Society. He also left to Trinity College 20 volumes of pamphlets and books on the same subjects of Religion and Education.

It is probable that the result of his presentation in 1860, in facilitating the production of that remarkable book, *Joyce's Irish Names*,

led to the hope that his presentation to the Statistical Society and to Trinity College would prove equally valuable to the production of historical, and statistical, and economic works on Ireland.

Few men have spent a more industrious life than Sir Thomas Larcom, in his forty-one years of public service in Ireland, commencing with a subordinate position on the Ordnance Survey, and ending with the high office of Under-Secretary; and few men have provided for the public being taken into council so soon after their death, to judge of their work and the motives by which they were actuated in their service for their country; and few have left such traces on the sands of time to help those who come after them in their work.

VII.—*Report of Council on Mr. Jephson's Suggestions as to Census for 1881.*

[Read, 20th April, 1880.]

Dublin, 14th February, 1880.

Sir,

The Council of this Society have had under their consideration the suggestions in the enclosed paper of Mr. Henry Jephson, read at the Society's meeting on the 17th inst., as to the importance of including in the census of 1881:—(1) The number of families and persons resident on farm holdings in Ireland of different sizes: and (2) Statistics of migratory agricultural labourers employed for upwards of six weeks in the year outside the electoral divisions or unions in which they reside, or out of Ireland.

The Council think Mr. Jephson's suggestions are, for the reasons stated in the paper, most valuable, and tend to increase the value of statistical science in Ireland.

Having regard to the fact that the enumerators employed for the census in Ireland are the Royal Irish Constabulary, who in June and October each year visit every agricultural holding for the purpose of collecting the agricultural statistics—first of acreage under crop, then of produce of crops—for the Registrar-General, who will be connected with the census, they think Mr. Jephson's plan could be carried out with great ease and without much expense; and by the constabulary checking it themselves, or (as in the case of the agricultural statistics) supplying the information as to the labourers; this branch of the statistics would have the same high character for reliability that the Irish agricultural statistics, collected by the Registrar-General's department, have long had.

The Council think it right to add, that as the Royal Irish Constabulary will visit each holding in Ireland in June next, at the time when the usual migration of labourers in an ordinary year will be at its maximum, and again in October, when it is at a minimum, it would be a matter of great importance to include in the agricultural statistics of 1880 some statistics as to how the men and youths

above fourteen, connected with each agricultural holding, were employed, and whether there was any difference in their employment this year than what was in 1876—the last year of ascertained prosperity.

This slight extension of the duties of the constabulary in collecting this additional information, would train them to do it perfectly at the census in April, 1881, and so save cost of checking and revising. The statistics would in the meantime be extremely valuable in judging of measures or demands for relief next winter, and if collected along with the agricultural statistics, would be collected without attracting the attention that an entirely independent inquiry would produce.

The Council strongly recommend Mr. Jephson's suggestions to the consideration of His Grace the Lord Lieutenant.

I am, Sir,

Your obedient servant,

JOHN K. INGRAM, *President.*

Right Hon. the Chief Secretary
for Ireland.

VIII.—*A Common Poor Fund for the Metropolis.* By W. H. Dodd,
Esq., Barrister-at-Law.

[Read 20th April, 1880.]

THE Charity Organisation Committee of this Society, in their report in 1876, drew attention to the London system of having a common poor fund for the metropolitan unions, and suggested the desirability of extending this system to the Dublin unions. A reform which was commenced under Lord Palmerston's administration, and carried into effect under Lord Derby's administration, and extended by Mr. Goschen under Mr. Gladstone's administration, by the Metropolitan Poor Amendment Act, 1870, is one deserving consideration; and I propose to inquire if the principle on which it proceeded can be applied to the Dublin unions with advantage to the community.

There are within the metropolis of London at present thirty unions. The population may be taken roughly at about 3,000,000. In 1867 (by the Act 30 & 31 Vic. c. 6, sec. 61-72) there was established for the entire of the metropolitan unions a Metropolitan Common Poor Fund, and to this fund each of the unions contributed its fair proportion. The principle at the root of this reform was that the relief of the poor in the metropolis was a matter of equal interest to all portions of the entire metropolis. Huge as it is, London is one single community. The west cannot say to the east, "I have no need of thee;" nor ought the east to be compelled to say to the west, "We get no aid from thee." The value of the property inside the area of the metropolis is greater because it is inside that area, and as the entire property of the community is made more valuable by

causes which have as their necessary accompaniment a large amount of pauperism, the entire property of the community ought to contribute equally to the relief of the pauperism. It was a sound economic principle therefore which was adopted. Let us see what the results of its adoption have been.

The entire of the rate called the poor-rate is not devoted to the actual relief of the poor. Many things have been from time to time thrown upon that rate which do not, properly speaking, tend to the relief of the poor; and there are in each union of course special union charges, which prevent the rating throughout London being exactly uniform even yet. It is only so far as the portion of the poor-rate which is devoted to the actual *indoor* relief of the poor is concerned, that there has been established an equality of rating. Thus, of the £1,757,183 collected in 1868, about £700,000 were distributed amongst the unions through the Metropolitan Common Poor Fund.

In 1867, the year before the fund was first established, Kensington union contributed 11d. in the £1 to the relief of the poor; Paddington union, 7d.; and St. George's, Hanover-square, 8d. The average of the eight unions in the West End was 12d. in the £1. On the other hand, the rating in the Bethnal Green union was 3s. 11d.; in St. George's-in-the-East, 3s. 6d.; and the average for the seven unions in the east end was 3s. The unions in the Central District, again, were heavily taxed, though not to such an extent as the East District unions. The South District unions came next in order, the North next; while the West, as I have said, were very lightly taxed. I give in detail the rating for the various unions in 1867.—*See opposite page.*

One of the results of a well-conceived reform is that it brings others in its train. In 1867 there were thirty-nine unions in London. Nine of these have since that been dissolved and the parishes taken into adjoining unions, so that I cannot accurately compare the unions now one by one; but a comparison of the average of the unions in each district will serve to show the result.

In the eight unions of the West District the average for 1878 was 2s. 4d. in the £1. Over the same area in 1867, in which there were then thirteen unions, the average was only 12d.

In the five unions of the North District in 1878 the average was 2s. 11d. In the same union in 1867 the average was 1s. 4d.

In the five unions of the Central District in 1878 the average was 2s. 2d. Over the same area in 1867, there being then nine unions, the average was only 1s. 6d.

In the unions of the East District, on the other hand, the average of 3s. in 1867 in the £1 had increased only to 3s. 2d., and that increase occurred by reason of greater expenditure in Poplar union. The unions in the heart of the East District, such as St. George's-in-the-East and Stepney, were much more lightly taxed in 1878 than in 1867—St. George's-in-the-East being rated to the amount of £38,886 for the year ending Lady-day, 1867, and being rated to £27,264 for the year ending Lady-day, 1878, and Stepney being rated to the amount of £49,928 in 1867, against £38,263 in 1878. While the falling off took place in the East unions, the West unions

LONDON UNIONS RATING FOR 1867.

Union.	Total Relief to the Poor.	Rate in the £ for Relief.
<i>West District:—</i>	£	s. d.
Kensington, ...	32,643	0 11
Fulham, ...	20,310	1 7
Paddington, ...	20,928	0 7
Chelsea, ...	24,565	1 9
St. George's, Hanover-square, ...	30,104	0 8
St. Margaret and St. John, ...	35,769	1 6 $\frac{1}{2}$
St. Martin-in-the-Fields, ...	15,041	1 0 $\frac{3}{4}$
St. James, Westminster, ...	26,227	1 2
<i>North District:—</i>		
St. Marylebone, ...	80,236	1 7
Hampstead, ...	6,610	0 7 $\frac{3}{4}$
St. Pancras, ...	80,715	1 6 $\frac{1}{2}$
Islington, ...	45,082	1 0 $\frac{3}{4}$
Hackney, ...	34,661	1 4 $\frac{1}{4}$
<i>Central District:—</i>		
St. Giles and St. George, Bloomsbury, ...	24,386	1 11
Strand, ...	34,368	2 7 $\frac{3}{4}$
Holborn, ...	19,443	2 1 $\frac{1}{4}$
Clerkenwell, ...	24,675	2 1 $\frac{3}{4}$
St. Luke's, ...	28,531	2 6 $\frac{1}{2}$
East London, ...	29,635	3 1 $\frac{3}{4}$
West London, ...	25,196	2 11 $\frac{1}{2}$
City of London, ...	52,962	0 7
<i>East District:—</i>		
Shoreditch, ...	51,589	2 9 $\frac{3}{4}$
Bethnal Green, ...	43,356	3 11
Whitechapel, ...	44,492	3 4
St. George-in-the-East, ...	31,463	3 5 $\frac{3}{4}$
Stepney, ...	44,223	3 7
Mile End Town, ...	24,065	2 0
Poplar, ...	58,949	2 6
<i>South District:—</i>		
St. Saviour's, Southwark, ...	22,490	2 1
St. Olave's, Southwark, ...	11,200	1 9 $\frac{1}{4}$
Bermondsey, ...	18,943	1 9
St. George's, Southwark, ...	24,461	2 11
Newington, ...	30,941	2 8
Lambeth, ...	64,403	1 8 $\frac{1}{4}$
Wandsworth and Clapham, ...	34,569	1 1 $\frac{3}{4}$
Camberwell, ...	32,727	1 7
Rotherhithe, ...	12,531	2 1 $\frac{3}{4}$
Greenwich, ...	55,182	2 2 $\frac{1}{2}$
Lewisham, ...	19,089	0 11

were more than doubled—the total relief in 1878 in those unions being £583,341, against £205,597 in 1867, and that though the general expenditure was diminished, owing to a consolidation of unions.

The result of the change has been to tend to equality of rating; but in addition to that it has given a common interest in the poor of London to the entire metropolis; it has promoted other reforms, by drawing attention to the existing anomalies, and I find from recent reports of the Charity Organisation Committee that is likely to be adopted as a means and aid to private charity in London.

Turn now to the Irish metropolis. The population may be said roughly to be about 300,000. The Poor-law unions in the area are three—the North Dublin union, the South Dublin union, and the Rathdown union. I append the rating of the Dublin unions for 1867 and 1879.

THE RATING OF THE DUBLIN UNIONS FOR 1867 AND 1879-'80.

Electoral Division.	Rating in the £r.	
	1867	1879-'80
<i>* South Dublin Union:—</i>	s. d.	s. d.
Clondalkin, ...	1 8	2 0
Donnybrook, ...	1 6	1 8
Palmerstown, ...	1 10	2 2
Rathfarnham, ...	1 6	2 2
Rathmines, ...	1 2	1 6
Tallaght, ...	1 4	2 0
Whitechurch, ...	1 4	2 0
South City, ...	2 10	2 2
<i>Rathdown Union:—</i>		
Blackrock, ...	0 11	1 0
Bray, ...	1 4	0 11
Delgany, ...	1 2	1 7
Dundrum, ...	1 0	1 3
Glencullen, ...	1 3	1 4
Killiney, ...	0 9	1 0
Kingstown, ...	1 1	1 3
Powerscourt, ...	1 2	1 5
Rathmichael, ...	1 3	2 1
Stillorgan, ...	0 11	1 2
<i>† North Dublin Union:—</i>		
Blanchardstown, ...	1 0	1 8
Castleknock, ...	1 2	1 4
Clontarf, ...	1 2	2 0
Coolock, ...	1 0	2 0
Drumcondra, ...	1 0	2 0
Finglas, ...	1 0	1 8
Glasnevin, ...	1 0	1 8
Howth, ...	1 2	2 0
North City, ...	2 6	2 2

* The figures for 1879 are, except South City, for December; South City is for January, 1880.

† The figures for 1879 are, except North City, for March; North City, is for January, 1879.

An examination of this table will show, as might have been anticipated, less glaring inequalities in the rate than existed in London; and yet they are great enough to demand attention. Rathmines and Donnybrook are uniformly less than other districts, and yet these districts are surely integral portions of the city, and equally bound to contribute to the poor of the city with Eccles-street or Baggot-street. I don't wish in this paper to discuss the wide question of union as opposed to electoral rating; but the North City and South City are practically made into sub-unions for rating purposes, and why might one of the wards not as well have independent rating as the electoral divisions of Rathmines and Donnybrook? Those wards, into which by the course of the development of the city the poor have been driven, would be more heavily taxed, while the wards that have been growing in wealth, and keeping out the poor, would benefit.

Dublin has found it expedient to have a metropolitan police force, and its area includes some of the more favoured electoral divisions of the metropolis. This is not a bad indication that the interests of the community, as far as person and property are concerned, in those divisions are identical in kind and degree with the interests of the other divisions in similar matters; and as the poor-rate is a tax paid for the preservation of property, there seems no good reason why it should not be uniform over the entire area of the metropolis. The economic test would seem to be—has the property an enhanced value by reason of its being within the area of the metropolis? If it has, it should be subject to a metropolitan rating.

But, apart from the mere rating point of view, there is a great social gain in having a common interest among the inhabitants of the metropolis, in the poor of all districts of the metropolis. It was feared by one school of political economists that the poor-house would become too popular—that it would be a refuge and a haven for the idle and the lazy. It was feared still more that if out-door relief were given, laziness and idleness would be still more increased. The poor-house has not, strange to say, that all-attractiveness. There are some apparently who would rather starve than go there; and whether out-door relief can be so prejudicial or not, we are not in Ireland in a position to say, for we have not been suffered to make the experiment. Admitting, however, the truth which lies at the root of such fears, and granting the advisability of having a strict poor-law system, does it follow that because it must be strict it should therefore be inelastic? Our streets are full of beggars. Can we follow Archbishop Whately's plan, and refuse to give one a penny? And if we do yield to impulse and give an alms, what appreciable effect does that make on the pauperism around us?

One of the objects of the London Charity Organisation Society, is the bringing about co-operation among the charities and the Poor-law. If there be a strict Poor-law system, there is all the more need for outside charity organisation, and to have a common poor-fund throughout the metropolis would give facilities for the operation of private charity. The Poor-law system, if strict, should be capable of being complemented and supplemented by private energy. Very

slight relaxations have been frequently followed by great results. The power of contributing to the deaf and dumb outside the poor-house, helped to promote the establishment of such places as Cabra and Merrion. At present, if one wants to contribute something to relieve the want and misery he cannot but see around him, how can he do it? What society or societies will undertake it? and through the Poor-law system there is no means of accomplishing it. Charity is accordingly often found wedded to proselytism, and is often wayward and partial.

It is in the hope of contributing something to the discussion of such a subject that I have ventured to bring forward this paper, the materials for which have been kindly furnished to me by Dr. Hancock.

IX.—*On the Economic Theory of Rent.* By Murrough O'Brien, Esq.

[Read 20th April, 1880.]

IN a recent number of the *Contemporary Review*, Professor Bonamy Price, under the title of "What is Rent?" gave an explanation of rent, its "nature" and "character." He limited his explanation to agricultural rent, which he maintains is different from rent used as a legal word connected with the hire of land, or forms of real property connected with land, as houses, rooms, and the like.

Professor Price, in his excellent treatise *Practical Political Economy*, has demolished many baseless theories of economists; but in this essay he seems to me to build again the things he destroyed, and to revert in substance to the Ricardian theory of rent which he nominally condemns. It is with diffidence that I venture to controvert such an eminent economist as Professor Bonamy Price. His explanation of rent, however, if generally accepted, would go far to justify the anti-rent agitation which he condemns (and in passing, it may be remarked, that the agitation is not directed against rent, but against excessive rents and insecurity of tenure), by making persons think that there is a natural, definite, and ascertainable quantity which is all that should be demanded or that can be paid as rent for any particular farm of land. I question whether there is any such clearly marked distinction as he asserts, between the two different uses of the word rent, and whether this economic rent can be said to exist as a reality, or otherwise than an imaginary, unascertainable, and valueless quantity.

According to both legal and common use rent is said to be paid for many other things than land and houses—as for example, rights of shooting and fishing, for rights of way, for water-power, for the right to carry wires and pipes above and below ground, for the right of collecting tithes, which is often included in leases of land. Any controversy as to this would be a mere battle of words, and I wish to confine myself to the question of agricultural rent, which Professor Price says exists "because a selling price is found which yields a surplus, an excess of profit *beyond what the tenant requires.* The

payment for the use of land he says takes the form of handing over to the landlord all excess of profit above *the fitting reward for the farmer*. For the purpose of making an analysis of the subject, Professor Price imagines himself in the position of a farmer about to rent land; and he enters into such a detailed calculation as he supposes a farmer would make in determining to make an offer for the farm. According to this view, whether paid or not, rent exists being

“surplus profit—that is, excess of profit after repayment of the whole cost of production, beyond the legitimate profit which belongs to the tenant as a manufacturer of agricultural produce.”

For determining the rent of any particular farm this explanation and definition is as useless as the Ricardian theory; for no means are given of arriving at the requirements of the tenant or his legitimate profit. Some tenant-farmers live on beef and ale, keep hunters, carriages, dress and educate their family expensively, and think all these are necessary requirements; while others live on potatoes and Indian-meal, dress in coarse and homely garments, are content therewith, or are expected to be so.

Looking at the matter theoretically and *a priori*, a farmer might fairly claim: first, such interest on his capital as he might get if it were invested in first-class security; second, and in addition, trade profit on his capital, being remuneration for risk, superintendence, and personal skill; or, if he be a small farmer, the current wages for his labour.

In his essay on *The Commercial Principles applicable to Contracts for the Hire of Land* (p. 78), the Duke of Argyll says:—

“What the average rate of interest may be upon capital employed in farming it would be difficult to say; but we shall see that a farmer of great experience and skill estimates the rate in his own case at 10 per cent.”

Mr. Mechi says:—

“It is not safe to calculate on a larger *profit* than 10 per cent., besides interest on capital, and a residence on the farm rent free.”

On the other hand, Judge Longfield says* that if, as represented, agriculture is the most honourable, healthy, and delightful of occupations, it follows from an elementary law of political economy that it must also be the least profitable; in which case a profit of 10 per cent. could scarcely be expected.

Here are very divergent views as to the legitimate profit of tenant farmers. Professor Cliffe Leslie asserts in his *Political and Moral Philosophy* (p. 189), that the economical doctrine of equality of profits has no existence in fact; but that in the same trade, and even in the same locality, profits not only vary, but that persons in the same trade are frequently in ignorance of the profits made by their fellow-traders. It is the same as regards wages: at the present time an agricultural labourer gets 10d. a day in Leitrim, and from 2s. 6d. in Dublin, and, as Professor Leslie points out, to say that the average wages of the Dublin and Leitrim labourers is 20d. is to

* Cobden Club Essays on Land Tenure, ed. 1876, p. 52.

state a fact that has no real existence. Similarly, rent varies immensely in different localities, and even in the same district, for equally fertile land belonging to different owners, and sometimes even on the same estate; so that it cannot be truly said that the average rent in any particular district is a rent really paid. The rent really paid is more or less of an accident; it is an arrangement between two persons into which almost always other considerations as well as £ s. d. enter.

We are all familiar with the terms high rents, low rents, moderate rents, "live and let live" rents, rack rents. The overwhelming influence of custom seems to be overlooked by Professor Price, as well as a fact that prevails widely, viz.: that agriculturists of all kinds frequently engage in other occupations as well as farming, and that the rent they are willing to pay may be in proportion to the profits they make otherwise than by farming. There is in fact no clearly marked division between land rented for purely agricultural purposes, and land rented from other motives than merely making a profit from the capital employed in agriculture. In Switzerland there are districts where the occupiers of land engage largely in watchmaking. A familiar example given by Adam Smith may be quoted as an illustration. He says:—

"If the sea abound in fish, those who live by fishing must have their houses by the sea. The rent of the landlord is in proportion, not to what the farmer can make by the land, but what he can make both by land and water."

According to Professor Price the rent paid by the fishermen would not be the real and economical rent, nor is this practically ascertainable, for it depends, according to the theory expounded, on other unknown or unsettled quantities, such as the amount of capital in use, the rate of interest; and in the words of Professor Price, "on the requirements of the tenant, and his legitimate profit as a manufacturer of agricultural produce." Rent exists, says Professor Price,

"because a selling price is found which yields a surplus, an excess of profit beyond what the tenant requires;"

but he does not tell us what a tenant requires, or what is his legitimate profit.

I do not differ from Professor Price's explanation of rent without some weight of authority to support the opinions I advance. Mill has been reckoned as a follower of Ricardo on the subject of rent; but he did not hold Ricardo's theory to the exclusion of sounder or more real views, for he qualifies his statements as to the universal prevalence of Ricardo's law. He says:—

"Only so far as rents are determined by competition, laws may be assigned to them."

Now throughout the United Kingdom agricultural rents are not always nor usually settled by competition. A competition rent is synonymous with a rack rent; the good understanding that is stated to exist between landlord and tenant in England rests largely on the fact that rents are not fixed by competition.

Competition doubtless is one determining element; but so are

custom and the generosity of landlords. On many estates the same family has occupied the same farm for generations, and in the words of the Duke of Argyll:—

“The character of owners is, as regards this matter, nearly as hereditary as the succession to the estate.”

Under peasant cultivation, Mill says rent

“Is either determined by custom, or, if fixed by competition, depends upon the ratio of population to lands.”

In Ireland we have a large class of peasant cultivators; but custom has a share with competition in fixing rent. The tendency, however, is for rent to be higher than in England. The conditions then under which, according to Mill, laws may be assigned to rent do not prevail in the United Kingdom. Again Mill says:—

“In the domain of peasant proprietors the distinction of rents, profits, and wages do not exist.”

From which is evident that he did not hold that there was a real and natural proportion of the gross produce which could be assigned as rent.

Mill, however, gives an explanation of rent, its nature and character, which seems to me indisputable.

“Land,” he says, “is the principal of the natural agents which are capable of being appropriated; and the consideration paid for its use is called rent.”

Again:—

“The reason landowners are able to require rent for their land is that it is a commodity which many want, and which no one can obtain but from them.”

It is plain that Mill differed from those followers of Ricardo, who maintained that if the whole earth were a plain of equal fertility throughout there would be no such thing as rent.

It is difficult to contemplate an impossible state of things; but if we adopt, as I think we ought, the above explanation of Mill's as to the cause of rent, we may safely affirm that in such a case as that contemplated, those who were the legal owners of the fertile plain would be in receipt of rent from those who were not. The true explanation of rent is that there are owners of land who are willing to hire it out temporarily to other persons who are willing to pay a consideration for its use. At the same time I think it absurd to claim that there is any scientific explanation of rent. It would be as reasonable to lay down a scientific theory of railway or cab fares, and to speak of their “nature” and “character.” The explanation of the hire of a horse or a bath chair is that the owner, not requiring to use it himself, lends it out temporarily for a consideration.

Ownership is the cause of rent; and it is the fact of our laws permitting the private ownership of land that gives rise to the relation of lessor and lessee and the payment of rent. Rent, moreover, is not a quantity that can be ascertained beforehand by a consideration of the probable produce of the land, the requirements of the tenant, and the legitimate amount of his profits.

Professor Price has shown in his chapter on "Value" in *Practical Political Economy*, that there is a personal element in the idea of "value" altogether irrespective of the intrinsic qualities of the subject valued. Circumstances which no man could possibly take into account beforehand may influence the rent which may be obtained for a plot of land exposed to competition, though it is but seldom that agricultural land is let by competition. The inordinate desire of a rich Ahab for a neighbouring vineyard cannot be foreseen. A, who is more thrifty and skilful than B, or ready to take a smaller profit, or to live more hardly, will give a higher rent, and so the annual value of any plot of land, and the rent which may be obtained for it, will be different with different persons. Experience alone enables a guess, an approximation, to the rent that may be obtained to be made. For rating purposes, for the assessment of compensation for land taken for public purposes, it is often necessary to estimate beforehand the annual value of land, which is defined by the law as the rent at which the premises might reasonably be expected to let from year to year. What is the evidence required in such cases? Do they turn on such calculations as Professor Price's imaginary farmer goes through, or on the requirements of the tenant, or his legitimate profit? Not at all; it is a question of experience, of the analogy of rents for similarly circumstanced land, of the comparison of the property in question with other similar property whose value is known.

As to the question whether rent is wealth, to which Professor Price refers, it is not easy to see how any difference as to this could exist between two economists like Professor Price and Thorold Rogers. It is plain that the gross produce of the soil is wealth; and that rent being a term expressing the value in money of that part assigned to the lessor, or exacted by him in return for the loan of his land, it is just as much wealth as any other portion of the produce. If more than the net produce of the land is given to the lessor as rent, the wealth expressed by the money paid must have been derived from some other source than the land.

The conclusion then that I wish to maintain in opposition to Professor Price, is that there is no absolute quantity, no reality corresponding to what he terms economic rent. Rent is a term which arises out of the relations of landlords and tenants, and this relation is the consequence of those laws which permit private ownership in land.

Mr. Bright recently pointed out the practical application of this. In his speech at Birmingham he said:—

"Well, now, I am in favour myself of fixity of tenure and fair rents. Nothing seems to be more just. But what they propose is that the rent of the land should not be fixed by the tenant or by the landlord, or by the two conjointly, but by some third party, who is supposed to be independent and not interested in the matter. Well, now, that seems on the face of it a reasonable proposition; but to my mind its reasonableness is only in the proposition. I do not think it would be reasonable if it were put into practice. For example, who is to decide what is a fair rent, and what is a fair rent—can any man tell me? The rent upon a given twenty acres of land upon which one Irishman would be prosperous, would be a rent

upon which, I fear, another Irishman would be impoverished and ruined. I will not speak of the different inequalities of land, and whether it would be possible to hand over to some lawyer, county court judge, magistrate, or person in authority, to determine the rent of all these farms between the tenants and landowners. At anyrate that is a principle which we do not adopt in our market and in our exchanges, and we ought to try every other plan before we depart from the principle which economical law teaches. But those who are interested in the bargain should be those by whom the bargain is completed and accepted."

If there be any such thing as a "fair rent" it depends on the relations between the lessor and lessee, and will vary according to the circumstances attendant on the letting. To take an example of common occurrence. Farms on an estate may be let at £2 per acre, while the same land in allotments for labourers is let at double and treble that rate. So land near a village may be let to tradesmen and shopkeepers at a rent independent of its productive value, the tenants in such a case make their living otherwise than by farming, and hold the land as a convenience or luxury. Immediately adjoining, and without any defined limit, land is occupied by farmers living on and making their living by the land, which is let to them much lower than to the tradesmen; and so what is considered a fair rent to one man is not a fair rent to another.

In the report of the Devon Commission the following statement is made as the result of the evidence taken on this subject:—

"It seems hard to discover any sound general principle adopted by the ordinary valuers for rent. Some merely jump at their conclusions; others seem to imagine that certain uniform proportion of the produce ought to be set apart as rent; and this has been variously estimated at one-fifth, one-fourth, one-third, two-fifths. It is somewhat discouraging to find by the evidence of the Ex-Professor of Political Economy that he is hopeless as to the powers of reducing the right theory on this subject to successful practice. The learned professor says he does not think that any man who ever lived, having all the data given to him, could with any certainty determine it"—

viz.: the proportion between produce and rent.

A theory which cannot be reduced to practice, which does correspond with observed facts, should be abandoned. Even if Professor Price had laid down what were the requirements of the tenant, what profit was legitimate, or how much hardship a tenant was to undergo in order to meet his rent, his theory would not have corresponded with the fact there is no such thing as uniformity of rent for equally fertile land, and that the rent really paid varies from one that leaves the tenant a bare subsistence on the coarsest and scantiest food, to one which permits the tenant to save and prosper.

As to the price that may be obtained for any given plot of land if exposed to competition as rent, or in the case of an absolute sale, that, I think, will depend largely on the number of persons anxious to acquire that particular plot of land, and the strength of their desires, and length of their purses; in other words on the effective demand for that particular plot.

In the letting of land competition can never come fully into play to the exclusion of all other motives; the relations that exist between lessor and lessee absolutely prevent it. Though in the possession

and use of the tenant, the owner is still to retain power over both land and tenant. It is otherwise in the case of sale—no continuing relation is to exist between the two parties, and the seller has no other concern except to obtain the best possible price; and therefore in the case of sales alone are prices regulated wholly and only by competition.

X.—*On the Law Reforms which have been successfully advocated by the Trades Union Congress, and the further Law Reforms which they now seek.* By W. Neilson Hancock, LL.D. Q.C.

[Read 25th May, 1880.]

WHEN I learned that the Trades Union Congress, which has held twelve annual meetings, had fixed its next meeting to be held in Dublin, in September—thus visiting Ireland for the first time, I made some inquiries as to their proceedings and publications. One of the most recent of these is a letter from the Parliamentary Committee of the Congress, to the late Home Secretary, referring with satisfaction to the action of Parliament in passing the Summary Jurisdiction Act of 1879 for England and Wales. The Committee refer to this measure as of immense value in improving the administration of justice and in securing the liberty of Englishmen.

Policy of Uniform Laws for Working Men in England, Ireland, and Scotland.

Having achieved so much for themselves, the Congress meeting in Scotland naturally asked to have the principles of the Act extended to Scotland; they did this, not in a doctrinaire and dictatorial manner, but on the wise plan of asking for suggestions from Scotland.

The Parliamentary Committee say:—

“So great did the advantages and benefits of the Act appear to the Congress, that the predominant feeling of the moment (the Congress being in Scotland), was that the Act ought to apply to Scotland.

“We therefore ask you* next session to bring in a Bill which will so apply the Act to the Scotch procedure and law that the people of Scotland may have the possession of similar advantages.

“We hope that our Scotch friends will be able to assist you by laying before you their views of the way this should be done.”

As to Ireland the Parliamentary Committee say:—

“While urging this upon your attention, we cannot refrain from saying that we know of no reason why similar privileges should not be conferred upon the Irish people.

“We beg to inform you that our next Trades Union Congress in September, 1880, will be held in Dublin, and to express our belief that nothing can be calculated more to promote content among the Irish workmen than the voluntary extension of liberties to Ireland similar to those we enjoy.”

* The late Home Secretary, to whom the letter was addressed.

They then add an expectation which the break up of the session by the General Election has prevented being carried out:—

“We should be extremely glad to be able to announce to our Irish brethren the fact that the Government intended to carry through a similar reform for Ireland.”

This was a spontaneous offer on the part of the Congress of good will towards Irish workmen, for I do not find that there was a single Irish delegate present.

The principle thus contended for, of having uniform laws for the United Kingdom, especially in matters that affect the poor and working men, is one which many of us have contended for in this Society for some years.

The Summary Jurisdiction, England, Act of 1879.

The Committee in giving credit to the Government Bill, which passed with amendments, point out the main points of Mr. Hopwood's Bill, brought in at their request, which were substantially given effect to in the Government Bill:—

“1. To give the right of appeal in every case where imprisonment is inflicted without the option of fine.

“2. To give right to the accused, where the justices had power by law to inflict three months' imprisonment, to demand trial by a jury.

“3. To improve the procedure on appeal.

“4. To diminish the too great frequency of imprisonment, by allowing the convicted to pay their fines by instalments.

“5. To give power to justices to fine instead of committing to prison where they had not the alternative previously.

“6. To enable justices to exercise clemency by discharging, even after conviction, if punishment appeared unnecessary.

“7. To provide for taking of recognizances out of court, so as to prevent unnecessary detention and imprisonment of defendants.

“8. To abolish payment of court fees, and require that justices' clerks should be paid by salary.

“9. To forbid cumulative sentences exceeding six months.

“10. To enable justices to inquire as to persons committed for default of sureties, and release them.”

Mr. Henry Crompton, in speaking at the Congress in Edinburgh, on the English Summary Jurisdiction Act, said:—

“There was an express statement that that scale should not be obligatory or compulsory on the magistrates. It limited them as to the amount of imprisonment which they could impose in lieu of fines, but gave them full liberty to impose as much less as they thought proper. That was a concession of the very highest importance; because if there was injustice in the future, the responsibility and the odium of injustice must fall not so much on the law as on the individuals who administered it. The Act was a complete code of procedure at petty sessions, and it might be said that the object kept in view throughout the whole Bill was that of keeping men out of gaol [by the system of fines]. . . . There were two great constitutional laws that had been created by this Act. The first was, that whenever a man was charged with an offence for which he was liable to more than three months' imprisonment, he had a right to a trial by jury. If he wished the case to be disposed of at once, he could take his trial, and have it settled there at once. . . . The second point to which he thought the Congress should devote attention was, that whenever any man was sentenced to imprisonment he had the right of appeal. The Bill contained another reform which he (Mr. Crompton) had for many years advocated—it drew a distinct

line between the civil and criminal procedure at petty sessions; and this could not have been better done. This, so far as it went, was a complete reform, but there remained a great work for the Government to do—namely, to re-consider and codify the whole of the laws administered at petty sessions. The Government had undertaken the task to codify the whole of the laws relative to indictable offences, and the work had so far progressed, that if proper influence should be brought to bear upon Parliament or the Government, that code ought to pass into law next year. But the Government had not undertaken to codify the laws relating to summary crime. In regard to this subject they had it upon the highest authority in England, that so far as the real criminal offences were concerned, the work was a very easy one to be done. The Lord Chief-Justice in a remarkable letter which he wrote to the Attorney-General, says:—‘It is all-important to those who have to administer the penal law in its subordinate departments to have the law before them as an entire and unbroken whole. The present code does that for them, when as magistrates they are called upon to take the information against a party accused. Why should it not do so when they are called upon to deal with offences summarily as judges in a judicial capacity?’ ”

Now, what makes it particularly hard that Irish workmen should be deprived of the benefit of this Summary Jurisdiction Act, even for a year, is that it was in part by the exertions of Irish members that the English Bill passed. The Parliamentary Committee of the Congress in their report say:—

“Mr. Hopwood assisted the Government to pass their Bill, by securing approval for it on his own side of the House, and *amongst Irish members*, inasmuch as it carried into effect clauses of his own Bill.”

The non-extension cannot arise from any real difficulty, but from the absence of all legislative organization for the systematic and prompt extension of amendments in the law to Ireland. For I find that the two important Acts which the Congress were successful in carrying in 1875—the Conspiracy and Protection of Property Act, and the Employers and Workmen’s Act—were both extended to Ireland in the same session, by additional clauses in the Acts themselves.

English, Irish, and Scotch Employers and Workmen’s Act, 1875.

Mr. Henry Crompton’s description of this Act shows that it was in its way as important as the Summary Jurisdiction Act.

“The Employers and Workmen’s Act is substituted for the Master and Servant’s Act. It carries out the principle that breach of contract shall not be a criminal offence, as it was under the ninth and fourteenth sections of that statute. It does so by referring the disputes between employers and employed to the county courts, and by giving these courts powers similar to some of those conferred on magistrates by the Master and Servant’s Act. It gives similar and concurrent powers to justices of the peace, when the damages claimed do not exceed £10. As in the former Act, either employer and employed can sue for damages in respect of breach of contract, debt, etc., but no sentence of fine or imprisonment can be imposed. The suit and tribunal is civil, and in no sense criminal. Imprisonment can only be used to enforce payment of damages, as it is used in the civil process of the county courts. It is by section three that the powers are conferred on the county courts; by section four on the justices of the peace—that is on courts of summary jurisdiction. Upon reference to the third section, it will be seen that the court has power to adjust and set off the various claims upon the one side and upon the other, and to rescind any contract upon just terms. There are the neces-

sary powers for speedy and equitable settlement of disputed claims. Lastly, a power is given by sub-section three, enabling the judge on the trial—where damages can be awarded for breach of contract, with the plaintiff's consent, and if the defendant be willing to find security—to order the performance of the contract. The defendant and his surety then become liable for a specified sum, which of course has to be paid, if the order is disobeyed. This provision has been wisely substituted for the power of compelling specific performance by imprisonment. Many of the workmen's contracts could certainly have been thus enforced. The difficulty of so doing is rather legal than practical. The real objection to the power of compelling specific performance was that it is so liable to abuse. It would be extremely difficult for workmen to ask to be exempted from such a process. Too much praise can hardly be given to Mr. Cross for his conduct on this point, which was firm, wise, and generous.

"Sections five, six, and seven relate to apprentices, and give jurisdiction over apprenticeship disputes to courts of summary jurisdiction."

Whilst we feel indebted to the Congress for having advocated successfully such just principles, and to Parliament for having extended them to Ireland in the same session in which they were adopted for England, it only makes the anomaly of the non-extension of the Act of 1879 the more remarkable.

Attempt in 1876 and 1878 to make perpetual the Irish law for making Linen Weavers criminally liable for breach of contract.

The absence of fixed principle in legislation, which the non-extension of the Act of 1879 discloses, was illustrated by the attempt in 1876, and again in 1878, to make perpetual the Linen and Hempen Manufactures, Ireland, Acts, which are only kept alive by the Expiring Laws Continuance Act, from year to year. The Irish Linen Acts, dating from the year 1835, subject linen weavers to a criminal proceeding for breach of contract, and so are at variance with the principles sanctioned by Parliament in the Employers and Workmen's Act of 1875. The Bill to make the old law perpetual in Ireland was nevertheless introduced in 1876, a year after the Act described by Mr. Crompton had been extended to Ireland, and again in 1878; and we find the linen weavers had in 1876 to rely on this Act in resisting, and successfully resisting, legislation on an opposite principle.

The report of committee appointed at Lurgan on the linen trade say:—

"The weavers, on the other hand, opposed all special legislation, and were anxious to have the benefit of the Employers and Workmen's Act of 1875, 38 & 39 Vic. c. 90."

Now, one advantage of the principle of codification which the Trades Union Congress contend for, is that once a reform has been carried by Parliament, it would be the duty of the Codification Department to submit to Parliament next session the extension of the principle to all similar cases, so as not to have a separate battle for each particular trade. It might be supposed that the non-extension to Ireland in 1879 of the Summary Jurisdiction Act, was for want of its bearing on Irish workmen's interests having been thought out; but that is not the case; in the report of the Lurgan Linen Trade Committee, published in January, 1877, relating to the largest

manufacturing industry in Ireland, and published two years previously to 1879, we find the whole question of extended local jurisdiction for working men very clearly and fully stated:—

“The object of all the special legislation is to protect the employer when he has no security,

“First, *against breaches of trust*;

“Second, *against embezzlement*.

“Again, property so entrusted to weavers has an exemption from distress from rent, and from seizure for the weaver’s debts and liabilities. There is, however, a risk of complicated litigation, if a doubt should arise as to how far the property used in the manufacture belongs to the weaver or to the manufacturer.

“Now, the whole of this special legislation might be obviated by a few generalizations and improvements in the law.

“(1)—*Want of Petty Sessions Jurisdiction as to Sureties*.

“Under the Employers and Workmen’s Act, 1875, the Petty Sessions Court has power to enforce up to £10 payment by sureties, when the surety has been ordered by the court in lieu of damages.

“It can, too, deal with a contract between a weaver and manufacturer up to that amount; but has no jurisdiction against a voluntary surety entered into before trial. As the policy of the Act of 1875 was to encourage sureties in substitution for damages and penalties, it is most unwise to limit it to a single case, and the court should have jurisdiction as to all sureties up to £10.

“(2)—*Want of Petty Sessions Jurisdiction as to Trusts between Weaver and Manufacturer*.

“So far back as 1860 (by sec. 35 & 36, 23 & 24 Victoria, c. 154), a very important equitable jurisdiction was entrusted to magistrates in Ireland, of granting precepts to prevent the removal, injury, or waste of property by tenants. There is no reason why this principle should not be generalized, and the court of petty sessions be endowed with complete power to issue precepts, and protect any property entrusted by one person to another, when the value did not exceed £10, and within like limits to exercise all other equitable jurisdiction connected with the enforcement of such trusts.

“In the case of breaches of trust which fall under the Consolidated Criminal Statutes as embezzlement (sec. 80, 24 & 25 Victoria, c. 98), it is provided that when any civil proceedings shall have been taken against any person to whom the provisions of this section may apply, no person who shall have taken such civil proceedings, shall commence any prosecution under this section without the sanction of the court, ‘or judge before whom such civil proceeding shall have been had, or shall be pending.’

“Under this section, when breaches of trust are large enough to bear the costs of Chancery proceedings to redress them, the parties are protected against criminal process, except in flagrant cases.

“But the withholding equitable jurisdiction from local courts by practically making all equitable proceedings for small breaches of trust impossible, leaves these cases to be dealt with by criminal proceedings only—and this is precisely what the labouring classes complain of.

“The true remedy is to give complete jurisdiction to the Petty Sessions Court in all matters whatsoever connected with trusts and equitable contracts up to £10; then the law of embezzlement can be made equal for all persons entrusted with property.”

“(3)—*Amendment of the law of Embezzlement so as to dispense with special legislation as to Embezzlement in the case of the Linen Manufacture*.

“As it appears that the weaver is really a trustee for the manufacturer as to matters entrusted to him, it is only necessary to define ‘trustee’

in the Consolidated Criminal Statutes of 1861, to include, if it does not do so already, all persons entrusted with instruments or materials for any manufacture (Sec. 80, 24 & 25 Vic. c. 96), and then to qualify the provision in Sec. 87 as to prosecutions for such offences being at assizes only, by adopting the principle of the Act of 1868 (31 & 32 Vic. c. 16) which allows embezzlement by clerks or servants to be prosecuted before justices under the Criminal Justice Act of 1855 (18 & 19 Vic. c. 126). Let all embezzlements, when the value so far as ascertained does not exceed £10, be capable of been tried before justices under the Criminal Justice Act of 1855, and between £10 and £100 at quarter sessions.

“(4)—*Advantage of giving Petty Sessions Courts universal jurisdiction up to £10.*

“The property of the manufacturer entrusted to the weaver is, according to the theory of the law, protected against distress for rent and execution for the weaver’s debts; but if a question should arise whether the implements of manufacture were truly the weaver’s or manufacturer’s, then, when the amount did not exceed £10, an interpleader suit as to this could be determined at once in petty sessions.

“So again, the contracts of weavers and persons in that rank of life would be more valuable as securities if, when involved to the extent of £10, their simple affairs could be settled in the petty sessions court instead of, as is now the case, being subject to a single central Court of Bankruptcy, which amounts to a denial of justice.

“If these simple reforms were carried, they would benefit a number of industries, and the wideness of their application would prevent there being anything invidious in their enforcement.

“The policy of the Judicature Act adopted for England and for Ireland is to have one supreme court with universal jurisdiction of every kind.”

I have quoted the above report at such length, because it shows how much our chief Irish manufacturing industry is dependent upon the prompt application of the class of law reform that the Trades Union Congress has in part carried for England; and it shows that the whole subject has for Ireland been worked out and thought out, and it only requires such a stimulus as the meeting of the Trades Union Congress in Dublin next September, to have the reforms necessary for the benefit of the Irish linen trade, now happily in a state of partial revival of activity, promptly adopted.

Hopeful spirit in which the Congress works.

As to the cheerful and hopeful spirit in which the Trades Union Congress work, I may quote the following passage from their observations on the Summary Jurisdiction Bill:—

“The committee have dwelt at greater length on this question than is usual to do:—1st. Because the passage of such a measure is an achievement of which the Congress and its friends may well be proud. 2nd. Because it fairly illustrates the difficulties to be overcome in legislation on subjects which have no other influences to urge them forward than considerations of social and political equity. 3rd. As a lesson of encouragement to our constituents never to despair, but always to renew their efforts in any cause which has right and truth at its base.”

The success of the Congress in its efforts for the Codification of the Law.

As to the position the Congress has achieved by its twelve years work in England, I will only refer to one other point:—

"At the Newcastle Congress in 1876, a paper on 'Codification of the Law' was read from Mr. Henry Crompton, following up the discussion at the Liverpool Congress in 1878, and after a good debate the following resolution was carried unanimously:— 'That this Congress is of opinion that the advice lately given by the Lord Chief Justice of England on the subject of the codification of the laws ought to receive immediate attention at the hands of the Government; the present position of the criminal laws of the country is very unsatisfactory, and the time is come when it is the duty of the Government to undertake the consideration of a new penal code which will simplify the law and improve the administration of criminal justice.' In order to give practical effect to the resolution, the Secretary of the Parliamentary Committee entered into a correspondence on the question with Sir James FitzJames Stephen, now Mr. Justice Stephen, and, at the earnest solicitation of the committee, that gentleman consented to deliver a lecture on 'A Criminal Code.' The lecture was delivered to a crowded meeting of working men in the Lecture Hall of the Society of Arts, on 6th February, 1877, the Right Honourable Lord Coleridge presiding, supported by the Right Honourable Lord Fortescue, Lord Justice Bramwell, A. J. Mundella, Esq. M.P., John Holmes, Esq. M.P., John Hinde Palmer, Esq. Q.C., Henry Crompton, Esq., F. Harrison, Esq., R. S. Wright, Esq., Rear-Admiral Maxse, and a number of other influential gentlemen.

"The Parliamentary Committee of the Trades Union Congress, in publishing Sir James Stephen's Address, add that the question of Codification of the Law would be brought before the House of Commons, during the session of 1877, by Mr. Farrer Herschell, Q.C. M.P.

"The Committee further add, that on behalf of the organized trades of the United Kingdom, it is deeply grateful to the learned gentlemen who have so freely given their time and labour to this movement, which, when successfully carried out, will confer upon the labouring classes of this country a benefit the value of which few are able to estimate.

"On 14th May, 1878, the Attorney-General introduced to Parliament 'A Code of Indictable Offences.' The Bill is a large one, occupying 236 foolscap pages, and contains 425 sections, in addition to the schedules.

"The measure proposes to codify nearly the whole of the Criminal Law relating to indictable offences, in which is embodied the right of public assembly, and discussion on all political and social questions, and many of the most valued rights and privileges we possess. Thus the Bill assumes an importance which the great mass of the people might fairly be excused for not fully estimating."

As first introduced, Ireland and Scotland were both excluded from the Bill. When a commission was appointed to consider the Bill, an Irish judge was added to represent Ireland, with regard to the extension of the Bill to Ireland.

In 1879—

"The Criminal Code Bill, as revised by the Royal Commission, which sat throughout the winter months, was introduced on April 3rd, and read a second time early in May, and re-committed in order to insert some amendments accepted by common consent. As early as July 3rd, the Attorney-General announced that he saw no chance of passing the Bill, and consequently the measure was dropped for that session."

The revised Bill included Ireland, but no attempt has been made to extend it to Scotland.

Two other reforms advocated by the Trades Union Congress should be noticed, for they have both occupied the attention of this Society.

Mode of payment of Petty Sessions Clerks' Salaries.

This was altered in England in 1877, so as to secure that the clerks should have no interest in the amount of fees or result of proceedings; thus applying to England the principle which has long been applied to the superior courts—to those of Ireland, so far back as 1821.

The importance of a similar reform in Ireland was pointed out by a report of a committee of this Society, in 1877, shortly after the passing of the English Act.

"Application of English Justices' Clerks Act (1877) to Ireland.

"A very important question is thus raised as to how Irish magistrates' clerks are circumstanced.

"They at present derive their chief income from salary; but their salaries being charged on neither the local nor the general taxes are not *fixed*, as the fund out of which their salaries are paid arises from the aggregate of the produce of the petty sessions stamps, and of the fines, which the crown is, under various Acts of Parliament, entitled to in Ireland. . . . The way in which petty sessions clerks' salaries are regulated in Ireland, gives them a direct interest, not only in the fee charged as in England, but in a very large number of cases in the amount of fines imposed.

"As the principle of the English Justices' Clerks Act, 1877, is in advance of, and meets some of the defects of the Irish law, it is of importance that the principle involved in it should be extended to Ireland."

Patent Laws.

Another subject the Trades Union Congress have directed special attention to—reduction of cost and extension of the terms of Letters Patent for Inventions. Now, so far back as 1850 a paper was published in the Journal of this Society on the Cost of Patents of Invention in different countries, which had the effect of reducing the cost of Irish Patents, which was then £135, and for the three Kingdoms, £376, to its present more moderate amount of £40 for first three years for the United Kingdom.

Our Social Inquiry Society shortly afterwards devoted part of their funds towards securing a report on the Patent Laws, by Mr. Lawson, now Mr. Justice Lawson. This was a very able production, and contributed in no small degree to the reform which then took place.

On this important subject of Patent Law Reform the Congress are co-operating with the British Association for the Advancement of Science, which for several years have appointed committees on the subject.

The superiority the United States of America has acquired in the making of tools and machinery has arisen in no small degree from their admirable Patent Laws; and the Congress are proceeding in the wisest possible direction for the benefit of British workmen, in asking to have the cheapness and certainty of the American Patent Laws extended to the United Kingdom.

Summary of Conclusions.

As the Trades Union Congress has fixed their next meeting in Dublin, it is right to notice the great services of the Congress in past years to the cause of law reform.

Of the four reforms they have achieved for the benefit of the working classes, and improved administration of justice in local courts—(1) The Employer and Workmen's Act, 1875: (2) Conspiracy and Protection to Property Act, 1875: (3) The Justices' Clerks Act, 1877: and (4) The Summary Jurisdiction Act, 1879—the first two only have been extended to Ireland.

The extension of the principle of Justices' Clerks Act to Ireland has been recommended by a committee of the Dublin Statistical Society.

The extension of some of the principles of the Summary Jurisdiction Act of 1879 was asked for on behalf of workmen in the linen trade in Ireland so far back as 1877.

To the Trades Union Congress of Liverpool and Newcastle, and the subsequent co-operation with the Congress of Sir James Stephen (now Mr. Justice Stephen), and Lord Coleridge, we are mainly indebted for the Criminal Code Bill in which Ireland is included. The suggestion of the Congress that codification should be extended to summary jurisdiction is a most valuable one.

The spirit in which the Parliamentary Committee of the Congress has asked to have the reforms they have achieved for themselves in England promptly extended to Ireland, entitles their suggestions for amendment of the laws affecting the working classes to the respectful consideration of Irish law reformers.

Their desire to have Scotland also included, so as to have, as far as practicable, a uniform law for the whole United Kingdom in all that affects working men, is in strict accordance with what has been for some years advocated in papers and reports in this Society.

To attempt to describe at greater length all that the Trades Union Congress has achieved, or the measures they propose, or are now advocating, would be to anticipate the work of the approaching meeting in September. I have only selected a few of the chief subjects which are connected with law reforms that have been considered by, or that directly fall within the province of, this Society, and which are fair samples of the proceedings of the Congress. They appear to entitle their proceedings to the attentive and respectful consideration of this Society and the Irish public.

XI.—*On the Scotch Branch of the Poor Removal Question.* By W. Neilson Hancock, LL.D. Q.C.

[Read, 6th July, 1880.]

IN the report of the Select Committee on Poor Removal of 1879 there is a very marked difference in the way in which the Scotch and English branch of the question was dealt with. As to England, the report is:—

“Your Committee having given due weight to the various arguments and opinions that have been placed before them, recommend that in England the law of removal should be abolished, and that for the purpose of poor relief settlement should be disregarded, with the exceptions

that with respect to seaport towns, persons landing in a destitute condition and immediately applying there for relief be chargeable to the place of their settlement for non-resident indoor relief."

Here is a very complete solution of the question, resting on fixed principles. When we come to the case of Scotland we find a very different conclusion :—

"Your Committee also recommend as to Scotland the law relating to removal should be *gradually* assimilated to that of England, and that the five years residential settlement should be reduced to one year."

The marked difference in the two sets of recommendations rests not on logic or social science—for the two cases are exactly parallel—but upon the feelings of the English and Scotch witnesses.

"In England there appears to be almost a consensus of opinion in favour of a relaxation of the present law ; whilst many of the most experienced witnesses bear strong testimony to the desirability of the total abolition of the law of removal."

The Scotch witnesses took a much more narrow view of the matter.

"They express a decided preference for the law to which they had been accustomed. They feared the abolition of removals would cause an irruption of Irish poor into their country: . . . moreover, that the dislike to removal is used by many parishes as a test of pauperism, when the strict workhouse test is not applied, and is in the best administered workhouses of the metropolis, Manchester, and some other places."

The Committee seem not to have investigated why there should be such a marked difference in the views they received from England and Scotland. They conclude their observations on the Scotch part of the question with the following observations :—

"Some of the Scotch witnesses are, however, favourable to a considerable modification of the law ; and it is possible that further investigation would exhibit a marked difference of opinion between the rural or sparsely populated parishes and the crowded districts of the large towns.

The Committee then proceed to lay down the principles which should decide the question.

"Your Committee hold that the question of removal should be regarded not merely in the supposed interest of the ratepayer, but with sympathy and care for the convenience and material advantage of the poor."

What would be for the convenience or material advantage of the poor would apparently be the same in Scotland as in England, and nevertheless the Committee yielded to the Scotch witnesses, and made a different recommendation, though the proportion of persons of Irish birth in Scotch towns (1 in 7 of people above 21) is double the proportion in England, which is 1 in 13

Now the generosity of the English witnesses arose from the adoption of union rating in 1865, and of the adoption of a common poor fund for London in 1870. The larger area of rating introduced more generous and larger views—more sympathy and care for the poor, and a less narrow view of the immediate effect on rates. Then, again, the right of the poor to relief in England leads to the careful consideration of what is for the convenience and material advantage of the poor.

In contrast with all this, we have parochial rating still retained in Scotland, and no common poor fund, like the London one, for the many parishes into which Glasgow and Edinburgh are divided. The effect of this is shown by the statement of the late Mr. MacNeil Caird, which I quoted on a former occasion in connexion with the migratory labour question :—

“ Another evil was the area for rating and settlement. That in Scotland was limited to parishes: in England there were only 647 of such areas,* while in Scotland there were 804. In England the population to each area was 35,972, while in Scotland it was only 4,280; and London, with a population equal to Scotland, had only thirty.† Nearly one in three of these areas in Scotland had fewer than 1,000 inhabitants, and every tenth parish fewer than 500. That caused a great inequality of rating between neighbouring parishes, and a multitude of petty administrations with limited views and increased expenses, and continual interparochial conflicts. As an instance of that, he mentioned that in the barony parish of Glasgow alone there were commonly between 2,000 and 3,000 undetermined cases of settlement. Again, the law of settlement was adverse to freedom of labour, and the effect of it was that a man whose settlement was in a small parish was practically limited to the inhabitants of that parish to find customers for his labour. It operated by creating a fictitious interest, in every land or house-owner, farmer and ratepayer feeling it their duty to prevent a man being in their parish long enough to obtain a settlement there. The field for a labouring man was therefore physically limited to narrow bounds round the place where he lived, and any arrangement which artificially increased his difficulty in obtaining a house in another district, where he could have steadier work and better wages, was a source of oppression to him. The law of settlement in narrow areas had led to the pulling down of houses and restriction of the accommodation of labourers in country parishes in Scotland, and one result of that was that nearly one-third of the whole people of Scotland lived in houses of one room. That was a fact which required to be enforced on the legislature, in order that wider bounds of settlement might be adopted, as had been done eleven years ago in England.”

This shows that the poor removal is only a fringe of the Scotch Poor-law question. If we want the persons of Irish birth to be contented, then union-rating, which was carried for England in 1865, should be promptly extended to Scotland.

So again, as to a common poor fund, like the London one, for Edinburgh and Glasgow. Through the courtesy of the Scotch Poor-law officials I have got a map of Edinburgh and a map of Glasgow coloured to show the distinct parishes. How puzzling they must be to a stranger, and how easily a person moving from one part of Edinburgh or Glasgow to another might lose his settlement.

With regard to what was said about Scotch parochial authorities using the power of removal as a test—in other words, as a means of refusing relief—a Scotch philanthropist, when the Poor-law removal was first introduced into Scotland, pointed out its character as tending to produce crime. He said:—

“ Indeed it may be very generally observed that the natural result of a law inflicting unnecessary and undeserved suffering on any portion of

* Unions.

† And these thirty, with a population about equal to all Scotland, have a common poor fund for workhouse relief and some other charges.

the community, is that these people, and especially the younger people, learn systematically and amongst themselves boastfully to evade the law. Those against whom the law is will usually be against the law. . . . We cannot be surprised therefore to find that various frauds and petty thefts are common, and that many children are early initiated into such practices, although belonging to a class the working members of which cannot in general be justly said to be either deficient in honesty or prone to crime."

At the end of thirty years the prediction of the Scotch philanthropist has come true, and the serious crimes of Scotland represent for a population equal to that of Ireland, 5,925 of the more serious offences, as compared with 4,189 in an equal population in England, and 2,886 in Ireland.

These facts show that the rescarches of the Poor Removal Committee did not go deep enough; that we want the union-rating, common poor fund, and the duties of the Scotch guardians towards the poor made the same as in England; when that is done, but not till then, can we expect the same large views, same generosity, and same consideration for the poor as the English witnesses displayed.

We must guard against attaching too much importance to the Report of the Poor Removal Committee. Shortly after the famine of 1846, a Select Committee of the House of Commons passed a resolution "that the power of removing poor from one parish to another in England and Wales should be abolished." Thirty-two years have elapsed and the same question turns up again. It will therefore require great activity and perseverance on the part of the members who have taken in charge the poor removal question, to urge the question forward, or another thirty-two years may be allowed to elapse till the question is again investigated.

It is, however, well worthy of consideration whether the larger and more logical question of a uniform poor-law for the whole United Kingdom would not enlist a large amount of sympathy and support, and be really more easily carried; and one thing is certain, that with the extent of intercourse which railways and steamboats, and new harbours like that of Holyhead, are yearly developing, nothing short of such equal poor laws will lead to the lasting contentment of the labouring classes of these kingdoms.

Summary of conclusions.

That the recommendations of the Poor Removal Committee as to Scotland fall far short of their recommendations as to England and Wales.

That the narrow and more selfish views of the Scotch witnesses to which the Committee yielded, arose from union-rating and large city common poor funds on the London plan not having been extended to Scotland, and their duties towards the poor being more restricted than in England and Wales.

That these more restricted duties, and the greater harshness of the Scotch Poor-law has led to the much greater amount of serious crime in Scotland than in either England or Ireland.

XII.—*Impediments to Savings from Cost and Trouble to the Poor of Proving Wills.* By Alfred Webb, Esq.

[Read, 21st December, 1880.]

THE desirability of encouraging thrifty habits amongst our people is now fully acknowledged; and the admirable arrangements of the Post Office department afford ample facilities for the investment of small savings, for assurances, annuities, and banking with absolute security, such as were out of the reach of the mass of our population a few years ago. But property has its troubles as well as its advantages; and poor people are beginning to find that it is often easier for a husband, a daughter, or a son to save, than, after their decease, for wife, sister, or mother to avail themselves of the savings when most needed.

A Case in point.

I have lately had experience in such a case, and have been led to form very decided opinions as to the necessity of some change.

It is only just to remark that the officials with whom I was brought in contact in the course of the proceedings were most attentive, considerate, and anxious to expedite matters; so any fault, if fault there be, is in the system, and not in the men who work it.

A Dublin tradesman, whom I shall call Mr. X., with whom I was acquainted, died on 19th November last. He had been ill many weeks. The small sum that came in from a burial society and sick fund were little more than enough to bury him. Since his death, the wife has been living on the credit of neighbouring huxters, and the few shillings brought in weekly by some young children at work. She could do nothing until she got in the £100 for which her husband insured his life in the Post Office some eleven years ago.

A few days after his death, we applied for the money in Sackville-street, and were told to write to the "Secretary, Assurance Department, Post Office, London." This we did on 25th November.

On 1st December a reply was received, directing probate and certificate of death to be forwarded. Accordingly, the same day I went to Probate Court, Henrietta-street, with Mrs. X., and after some difficulty found the proper office—"Chief Registrar's Chamber." Mrs. X. was asked to take a seat and I was sent to the "Public Room" to purchase a set of papers, for which I paid 6d. It took about half-an-hour to fill up the forms and to swear Mrs. X. as to the truth thereof. She proved to the policy of assurance £100, and £5 household furniture and clothing. I don't know how matters would have gone, if I had not been able to find an official to identify me—the Registrar, the official—the official, me—and I, Mrs. X. We were next courteously conducted down stairs to the "Clerk of the Seat and Seal" and given in charge to a polite official. Then I had to make a duplicate copy of the declaration, which required time and care, and some experience in filling up forms. The following account was now made out:—"Grant, £1; Schedule and copy, 7s. 6d.; Receipt, 1s.; Certificate, 2s. 6d.; Engrossing Will [it contained just 90 words]

gs. ; Swearing Affidavits, 2s. ; Application, 2s. 6d. ; Total, £2 4s. 6d." I was directed to pay this in the "Stamp Distributor's" office upstairs. The clerk received the money, and gave me some papers to take down stairs to the "Rules" office. There I was given other papers, with which I returned to the "Clerk of the Seat and Seal." The "Clerk of the Seat and Seal" now retained all the documents except the declaration, which he directed me to bring, with a blank parchment form, to the Inland Revenue Office at the Custom House. All these transactions took some hour-and-a-half, and Mrs. X. and I had had enough for one day.

Next day, 2nd December, I went to Custom House by myself, and after some difficulty found the proper office—a small one in the top of the house. There sundry entries were made, the declaration was retained, and I was given two dockets. With these and my parchment I was directed down stairs to "No. 7," and after waiting for some time at one desk I was sent to another. There I signed my name on one of the dockets, further entries were made, and I was sent to another desk, where I paid £2. With a numbered docket and my parchment I was directed further down stairs to the "Stamping Office." Having found it, I handed in docket and parchment over a high counter, was told to "write amount" on the parchment, and come again in half-an-hour. As there was a good fire and I had a book I preferred waiting. The whole transaction took about an hour. Twenty minutes more took me back to Henrietta-street with the stamped parchment. I left it with the "Clerk of the Seat and Seal," and was told to return on Monday with Mrs. X.

Mrs. X. and I returned on 6th December to the "Seat and Seal" office. We were directed to the "Public Room" up stairs. Some papers were consulted, and we were asked to return next day.

We returned next day, 7th December, to Henrietta-street to the "Public Room." I was sent into the "Stamp Office" to procure a receipt form. For this 1s. was charged. I signed it, also signed my name in a book, and the probate was at length handed us. The total cost had been £4 6s. Of course I had to advance this sum. Poor Mrs. X. had not a penny. (As the whole object of the proceeding was to authorise her to receive £100 from the Post Office, might there not be a simple plan of giving credit for any necessary fees, to be deducted from the £100 before payment?) I now went to my office, made up the probate, and a certificate of death, which cost 1s., and forwarded them per post registered to the "Secretary, Assurance Department, General Post Office, London."

Mr. X.'s fellow-workman, who had watched our proceedings all through with pitying interest, when I told him I had at last sent off the probate, now exploded, and declared he would never again advise any one to put money into the Post Office Savings in any form—"Far better spend it—or keep it in an old stocking." "Why," said I, "won't the £100, even less the £4 6s., be very nice when it comes?" "Yes, it will ; but do you think she would ever have got it but for you ? What do poor people know about business ? I tell you many of them would have to leave it there altogether, or have to pay half of it in fees, and drink, and cars, to some designing person."

Where would she get the £4 6s.? Far better spend the money ; or, if you do save it, keep it in a box, and then whatever there is left, your wife and children will get without trouble or delay when you die."

The whole matter would, I suppose, have been more complicated and troublesome if Mr. X., besides having had the prudence to insure his life had not also had the forethought to make and execute a will leaving all to his wife.

But we had not yet got the money. On the 9th we received a letter from London, returning the certificate of death and requiring a statutory declaration before a magistrate that Mrs. X. mentioned in the probate, was widow of Mr. X. mentioned in the certificate, and that she was his lawful executrix. I could not find a magistrate who knew me until next day, when I perfected and returned the required documents.

On the 17th December Mrs. X. received from London an order on Sackville-street for the amount. And now mark the difference of procedure in the Probate Department and the Post Office. It took only some ten minutes, in one room and at one desk, to receive the money, open a bank account for a portion of it, and invest the balance in government stock.

Now nothing will more discourage savings in secure hands than the knowledge that all this trouble must be undergone to make hard-earned money or assurances available for survivors. The remarks of poor X.'s fellow-workman state the whole case. The formalities connected with this small property appear troublesome and complicated to one well used to business transactions ; what must they not be to people utterly unused to business and to whom the simplest transaction—writing a letter or procuring a post office order—is embarrassing and formidable?

Whether for large or small properties and in simple cases I do not see why taking out probate should be made such an expensive, complicated affair. I do not understand why the Probate Court Department and the Probate Duty Department should be in different buildings, so far apart ; and why there should be so many offices, separated by so many doors, and passages, and flights of stairs.

It must strike a poor person as savouring somewhat of false pretences that government should engage to pay £100 on the death of a relative, and that then more than £4 in money should be deducted, and such troublesome circumlocution should have to be gone through before the remainder is secured.

I am therefore glad to see that this subject has attracted the attention of persons competent to suggest remedies.

Testimony and Suggestions of Competent Officials.

The following remarks are made in the *Irish Criminal and Judicial Statistics Report* for 1879, pp. 65-66 :—

" There has been an increase of 49 in the number of wills proved and letters of administration granted in 1879 at the District Registries, as compared with a falling-off of 136 in 1878, following an increase of 215

in 1877. The aggregate number at both Central and District Registries (4,643) is 1,230 above the number (3,413) in 1869. . . This number (4,643) still falls far short of 35,000, the estimated number of persons dying in Ireland in a year who could or did make a will, showing the large room there is for increased business if the proving of wills was made as cheap and convenient as it might be. The Intestate Widows Acts of 1873 and 1874 have failed to meet this evil.

"The Acts are very inferior to the concurrent and subsequent Scotch Acts, 36 & 37 Vic. c. 52; 38 & 39 Vic. c. 27. (1) The Scotch Acts provide the cheap proceeding for property up to £150. In Ireland the limit is £100. (2) The Scotch Acts extend to wills. The Irish are limited to intestacies. (3) The Scotch Acts prescribe the course to be pursued and supply the appropriate forms. (4) The Scotch Acts limit the cases by value only. The Irish, adopting a lower limit of value, excludes from the benefit of the reform those who reside within three miles of the office.

"The stringency of the Probate Court Rules check cases under these Acts. They prohibit proceedings before the Clerk of the Peace, if the person applying happens to attend with professional aid or assistance, or if a professional or other agent appears in the matter, or if an application has necessarily to be made to the Court in respect of the case, or where papers appear verified otherwise than before the Clerk of the Peace, or *in his office*, before a Commissioner of the Court of Probate.

"The reform is, besides, on too narrow a basis. Adopted on the principle of getting over the too large districts of the Probate Registries for the Poor, it falls short of the amount of localization to really meet the case of properties under £150. Instead of utilizing the Clerks of the 600 Petit Sessions Courts, giving a really local machinery for poor people, the 40 Clerks of the Peace alone are used.

"The Scotch local arrangements on the matter of proving wills are, as already shown, in advance of the Irish.

"The conferring of limited contentious probate jurisdiction on the County Courts in Ireland by the Act of 1877, lays the foundation for the Scotch system as to smaller registrars' districts coinciding with the districts of the County Courts, being adopted."

A paper on the subject was read before the Society in 1879, by Mr. George H. Smith, Barrister-at-Law, himself a District Registrar of Probate. I cannot do better than make some extracts from this thoughtful essay.

"Since 1858, under the Probate Act and Rules, any person desirous of obtaining a legal representation to a party dying within the limits of a District Registry—whether such party did or did not make a will—was empowered to apply personally at such District Registry, and on payment of a small extra amount of fees have all the requisite papers prepared and perfected for him by the District Registrar, without the intervention of any professional agent whatever. This provision, though oftentimes utilized, never was availed of to the extent which had been anticipated, simply because the additional fees on such cases made the procedure very little cheaper to the applicant than if he employed a solicitor to transact the business; but whenever the arrangement was availed of, the papers were prepared by officials duly qualified to deal with them, and well acquainted with all the technical matters essential to exist in them to constitute them valid. Now the new Acts not only reduce the fees on all grants applied for under their provisions—which is commendable enough though not needing the dignity of legislation for its adoption—but also draws a charmed circle round the office of District Registrar, and provides that for any applicant living *within* three miles from that place the old state of things must still exist, while for any applicant residing *beyond* that distance from a registry, the provisions of these Acts are operative. *Why a widow of a poor man dying intestate with £95, who lives in or about Belfast, or Derry, or Cork, should be obliged to pay court fees to the amount of about*

£2 10s. or £3 for an administration grant, while her friend resident beyond three miles from these district centres can obtain it for 13s., seems to be the most arbitrary and unjust arrangement that could be devised; and yet this is the first absurdity which strikes the reader of these Acts of Parliament.

"No wonder, then, that these Acts are practically dead letters on the statute book. They are so, not because of the stringency of the Probate Court Rules which are formed strictly upon the lines of the Acts themselves—not because of the obstructions of Probate officials, the vast majority of whom are paid by salary, and have no personal interest in driving away those small fee cases—not because of the objections of clerks of the peace, who have on the whole fairly tried to do their best in the directions laid down for them; but because the legislature has adopted an unworkable system for attaining an end useful and desirable in itself.

"Moreover, parents or minor children (or adult nephews, nieces, or grand-children) of a deceased intestate cannot by any process avail themselves of the benefit of the Acts; nor can creditors in any way call their provisions in aid: and, with a strange perversity in the legislative mind, while those Acts (applicable to both England and Ireland) make £100 the limit of assets to be dealt with under them, provided it belong to an intestate deceased, the Acts for Scotland (38 and 39 Vict. c. 41, and 39 and 40 Vict. c. 24) embraces will as well as intestacy cases and cover assets to the extent of £150."

Mr. Smith, who from his position as a Probate Court officer and barrister is so competent an authority, makes the following practical suggestions:—

"Can the boon of cheapness be retained, and a means be devised for satisfactorily securing it for the poor class of applicants really contemplated by the Acts? The answer is to my mind very simple indeed, and it is this:—

"(1) Repeal so much of these Acts as draws any line of distinction between residents in any part of a district, and so much of them as throws upon County Court Registrars any duty whatever connected with the preparation of papers to lead to these grants.

"(2) Provide that every petty sessions clerk shall be appointed an officer before whom any applicant for such a grant may attend to afford replies to certain prescribed and printed questions (such as those compiled by Mr. Galloway and detailed in the *Irish Law Times* for 1877), and by whom such information, when so obtained, shall be transmitted to the Probate Registrar of the district.

"(3) Provide that all the requisite papers shall, from such information, be prepared by the Probate Registrar, and transmitted back to the petty sessions clerk, who shall then be empowered to swear the parties to the papers so forwarded, and return them to the registrar duly perfected.

"(4) Give the petty sessions clerk, so acting, a moiety of the present regulated fees of compensation for his trouble, and let him be the party to deliver the issued grant to the applicant.

"(5) Make the Acts available by every one who under existing rules could otherwise apply for grants of the property of deceased intestates.

"These changes would secure the boon of cheapness for the applicant, afford him or her a place for making the application easily accessible without cost of travel, secure that the papers were properly and correctly filled, and give some slight pecuniary benefit to a body of officials who would appreciate the boon, and find the duty perfectly within their powers satisfactorily to perform."

In treating this subject, I do not forget the arrangements under which the Postmaster-General can, where no will has been proved, allocate savings not exceeding £50. But it is not wise to encourage

intestacy; and amongst the Instructions to Depositors should be one giving advice as to the drawing up of wills and obtaining probate.

The difficulties and annoyances I have pointed out in procuring probate in small cases may be considered but a trifling grievance, not worth attention at present in the face of questions of all-absorbing importance; but it is none the less a grievance affecting a considerable number of the representatives of 35,000 persons who are estimated to die each year under circumstances in which they have made or might make wills. Few grievances have been more carefully considered and had such thoughtful and practical remedies proposed for them as those contained in Mr. Smith's paper, which I have quoted. Grievances of this kind, which I can truly describe as serious and irritating, when they affect thousands of people, every day they continue unredressed, after an adequate remedy has been proposed by a competent authority, go to swell the current of irritation against the institutions of the country which it is desirable by all means to allay.

XIII.—*On the Cost and Delay in Obtaining Loans on Land and the high rate of Interest charged to Tenants for Loans.* By W. Neilson Hancock, LL.D. Q.C.

[Read, 21st December, 1880.]

THE failure of the potato crop in Ireland, in 1845, which led to Sir Robert Peel's cabinet adopting and carrying Free Trade, was followed by the still more extensive failure in 1846. This brought on a paralysis of credit, and so directed attention to the peculiar inconvenience of our laws with regard to loans on landed security—the delay in making out title.

When a crisis renders a commodity temporarily unsaleable, or saleable only at a great sacrifice, the laws affecting the borrowing of money become of great importance. Thus, in 1846, to meet the sudden calamity, immediate loans were required. Delay was fatal to the owner, who had gone into his usual expenditure, and not anticipating the reduction which became inevitable. Delay was equally fatal to the tenant, who had to meet part of the loss out of his investments of the savings of good years in improvements. He was offered reduction if rent were paid before a certain day, or could only escape law proceedings by like prompt payment.

From these causes the subject received an extraordinary amount of study and attention, which I observe it has not yet received from the public at the present time, and I will quote some of the authorities which I brought before this Society in 1848, just after the events happened.

The first authority is the Report of the Select Committee of the House of Lords on the Burdens of Land, made in 1846. The Committee was described by Mr. Stewart, one of the editors of an edition of *Blackstone's Commentaries*. He says:—

"The Committee was composed of the most eminent men of all parties in the state—noblemen of vast landed possessions; the law being represented by the then Lord Chancellor Cottenham, and ex-Chancellor Lord Brougham, and also by lawyers of both branches of the profession, who were examined by the Committee. There was this further remarkable circumstance attending this document—that, differing on all other subjects, this Committee unanimously agreed as to one; and mark the strong language in which this unanimity is conveyed."

The Committee of the House of Lords

"Complained that the transfer of real property is subjected by law to difficulties, expense, and irregularities; that the Committee are convinced that the marketable value of real property is seriously diminished by the tedious expensive process attending its transfer. *It is a work of time to raise money on landed security, and the law expenses incident to the transaction are a considerable addition to the sum borrowed.*"

The Committee further state that—

"*They are anxious to impress on the House the necessity of a thorough revision of the whole subject of conveyances, and the disuse of the present prolix, expensive, and vexatious system.*"

Amongst the witnesses examined before the Lords' Committee was the celebrated Mr. Senior, the first Professor of Political Economy in the University of Oxford, and whose intimate connection with the late Marquis of Lansdowne, and late Earl of Rosse, appear, from his published conversations on Irish affairs. He says:—

"He is aware that the system of conveyancing imposes great difficulties, great expense, great delay, upon the transfer of land."

This is as true of borrowing any considerable sum as of actual sale. Again, he says:—

"There is scarcely a title that is marketable"—[in the legal sense of that term, meaning a title without a flaw]—"there is scarcely any title which is not subject to some legal doubt. I believe this [speaking of England] is the only civilized country without a general register, and [the United Kingdom] the only civilized country requiring a sixty years' title or even forty years. I believe that in almost every country but this the transfer of property is effected in the books of a notary, or a registrar, or some public officer, and that you require only the title of the person who sells. In fact land in almost every country but this is transferred in the same manner in which stock is transferred, You look to the last purchaser only."

To show that Mr. Senior's views were applicable to Ireland, I quoted an Irish authority, which I will now repeat. Mr. Jonathan Pim, in his very able work on *The Condition and Prospects of Ireland*, stated that—

"The various information which had come before him, as one of the Secretaries of the Central Relief Association, had greatly strengthened the conviction, previously entertained, that the circumstances under which landed property had been placed had, *more than any other cause*, contributed to the poverty of the people, and had greatly increased the effects of the recent calamity."

Amongst the reforms which Mr. Pim urged were "those for giving security and simplicity of title and to facilitate and cheapen transfer."

Now upwards of thirty years have elapsed since the report of the Lords' Committee was made, since Mr. Senior's evidence was given, and Mr. Pim's *Condition and Prospects of Ireland* published, and yet the evils pointed out in it remain substantially unredressed. In all moral teaching on savings, we are told one great object is to have savings against a rainy day, but the large landowner, and the tenant who has invested in improvements, in purchasing the improvements of preceding tenants, or in tenant-right, his savings in good years, and the small proprietor who has invested his savings in buying his holding under the Church and Land Acts, are all embarrassed in using their saved property in the present crisis, which is the result of an accumulation of many rainy days, by a system of borrowing money on land, which was thirty-four years ago pronounced by a influential Committee of the House of Lords, as "prolix, expensive, and vexatious."

Cognate Reforms that have been carried since 1846—Post Office Savings Banks.

Whilst the borrowing of money on land has remained so long in this sad state, other collateral reforms on cognate subjects have, in the meantime, been carried to wonderful perfection.

Two years after the report of the Lords' Committee on the burdens on land, a calamity overtook the poor in Ireland in the failure of the Cuffe-street Savings Bank, the depositors in which got 10s. in the £1 from the general taxes, and in the failure of the Killarney and Tralee Savings Banks, the depositors in which had to bear an almost total loss of their savings. The subject was brought before this Society, and one of the remedies proposed was complete State security by means of the Post Office. Mr. Gladstone carried that reform in 1861 as Chancellor of the Exchequer to Lord Palmerston's Government, and Professor Fawcett, as Postmaster-General to Mr. Gladstone's Government, has carried the further reform of Penny Savings Banks, with this wonderful result—that a child putting a penny stamp on a piece of paper which he gets for nothing, has security of the United Kingdom for repayment.

Now, why should the farmers be tempted to lend their savings to the State at $2\frac{1}{2}$ per cent. by such a wonderful system, and be deterred from investing their savings in improvement of land by a prolix, expensive, and vexatious system of using their investments on an emergency. If it is worth while for leading statesmen to devise a system for securing £1,000,000 of savings in Post Office Savings Banks, is it not well worth their while to study how to extend that system to tenants' savings invested in land, to the extent of some £70,000,000.

Creation of Railway Debenture Stock.

It may be said it is easy to apply it to State loans and State deposits, but it is impossible to apply it to land. But the lending of money on part of the land of Ireland has been wonderfully simplified in the last thirty-four years.

Since the Lords' Report of 1846, the largest expenditure of capital

on land in Ireland has been on the portion occupied by railways. Much of this was made with borrowed money. At first the arrangements for borrowing were expensive and inconvenient, and the railway companies had to seek government loans, but they have now adopted the English system of railway debenture stock, by which loans on land are divided into any sum, large or small, to suit the lender, are all registered in the railway company's office, and easily transferred; and so the railway debenture charges on land, are exempt from the prolix, expensive, and vexatious system condemned by the House of Lords in 1846; and what is the result? Railway companies can now borrow at less than 4 per cent.

Register of Property in Ships.

It may be said that this system can be applied to large undertakings like railway companies, but it could not be applied to distinct individual holdings like estates or farms.

But eight years after the Report of the Committee of the House of Lords as to land, the system of mortgaging ships was brought by the Merchant Shipping Act of 1854 to the perfect condition it has now been in for twenty-six years, the whole matter being managed by the Custom House officials at each port, without expense, or taxation, or trouble, so as to show at a glance the exact state of the property in the shares of any ship, and the exact proportion of the charges upon it, and so as to enable any emergency to be met by an instant loan. By using the proper papers this power can be exercised as easily in any part of the world as in the port where the ship is registered.

Application of the Ships' Register Principle to Land.

This ships' register principle is so perfect, that it has been taken as the model of the land transfer system prepared by Lord Selborne, and adopted by Lord Cairns for England and Wales, but not yet extended to Ireland.

Why have thirty-four years been allowed to elapse in dealing with the prolix, expensive, and vexatious grievances pointed out by the Lords' Committee, in 1846?

The difficulty in carrying into effect in Ireland the wisest law reforms, is declared in a remarkable passage of the introduction of Earl Russell to his speeches and despatches, describing the first and second Incumbered Estates Act.

"The proceeding was commenced in 1848. . . . A Bill was introduced. . . . Sir John Romilly, who had been recently appointed Solicitor-General, framed, in conjunction with Mr. Walter Coulson, a series of clauses which completely altered the character of the Bill, and tended to make it far more effective. But parliament so modified the clauses, as to preserve to the first incumbrancer a power to nullify the whole Bill. This Act passed in August, 1848. It is the 11 & 12 Vic. c. 48, and is entitled 'an Act to Facilitate the Sale of Incumbered Estates in Ireland.'

"When the Session was over," Earl Russell adds, "being very anxious on the subject, I went over to Ireland chiefly for the purpose of inquiring into the probable operation of this Act. Lord Clarendon, who was then Lord Lieutenant, requested the Chancellor of Ireland [Sir Maziere Brady] to

come to the Viceregal Lodge to confer with me. He told me *that the Act would probably be evaded, and I gathered from him that in his opinion it would be a dead letter.*

"When I returned to England, I sent for Sir John Romilly, and instructed him to prepare a new Incumbered Estates Bill for Ireland. I gave him full liberty to prepare it as he thought desirable, both as to the scheme to be adopted, and as to the provisions to be introduced for working it, permitting, at his request, *that the working of the Act should be confided to a new court to be constituted for that purpose.* When Sir John Romilly introduced the Bill in the House of Commons, he was complimented highly by Sir Robert Peel, who said he was not one of these lawyers who took away the key of knowledge, and prevented others from entering in."

Earl Russell concludes thus:—

"The authorship of so large and useful a measure has been attributed by many to Sir Robert Peel, and by Lord St. Leonards to himself, but to the decision of the Government, over-ruling technical views, . . . and to the constructive skill of Lord Romilly and Mr. Coulson, this enactment must finally be attributed."

This simple story indicates the difference between the branches of public business in which reforms are carried out, and those in which they are not. The Post Office is since Sir Rowland Hill's times, one of the most completely organized departments in the public service. The ships' register and ships' mortgages, were organised by the Board of Trade. In the law there is no single organization, no legal administrative department, or, as the French call it, Minister of Justice. Earl Russell, who had this defect in our administrative system so plainly before him in 1849, supported the proposition for a Minister of Justice in 1857, when an address to the Crown for this reform was carried by a large majority of the House of Commons. This was a proposition which had been urged by Lord Brougham and Lord Langdale, and supported by Sir Robert Peel.

In the language of one of its advocates, "There never could be any real law reform without a separate department of public justice."

To the want of a permanent department of a Ministry of Justice must be ascribed the fact that the principle of using the Ordnance Survey, which cost so much, as the basis of a cheap system of charging and transferring land, has been allowed to remain in abeyance thirty years—though Parliament charged a department of the State, overwhelmed with other business, with carrying out the principle in Lord Romilly's Map Registration Act of 1850.

To the want of a Ministry of Justice may be ascribed the failure of Lord Cairns' Land Transfer Act of 1875 for England, the neglect to carry out the recommendation of the Royal Commission of 1826 for having the Scotch reform of the office of sub-sheriff extended to Ireland, and the neglect of providing cheap machinery for proving wills of the poor—a want which was noticed fifty years ago by the Select Committee of the House of Commons on the Poor.

High Rate of Interest charged on Loans to Tenants.

I have been told of interest reaching the high figure of 25 per cent. on farms with tenant-right recognised. Now, the cause of

this high rate of interest was pointed out so far back as 1873, by Mr. Howe, sub-agent to the Marquis of Downshire, in a speech to the County of Down Constitutional Association. He showed that the present system gives priority to the creditor who adopted the most expensive proceedings. I brought this statement of Mr. Howe's before the Society at the time. Now, had his warning been attended to, and the necessary reforms adopted to enable tenant-right to be cheaply and locally registered, like property in ships, with the priority of family or creditors' claims as cheaply and as certainly set out, the family claims, including the ancient solace to an outgoing tenant, then we would have had no 25 per cent. interest in the present crisis.

Instead of the tenants in tenant-right districts getting the benefit of the latest improvements in English jurisprudence—the ships' register—which an English commission at the time recommended to be applied to land, they have been saddled for the first time with a considerable part of the prolix, expensive, and vexatious system of conveyancing, applicable to freehold property, which the Select Committee of the House of Lords had condemned in 1846.

Conclusion.

I venture to notice these matters, which lie entirely within the domain of economic science and jurisprudence, because I have seen it stated on scientific authority that free transfer of land has caused some of the present difficulties. I believe exactly the reverse—that the high rate of interest on tenants' loans, and the cost and delay in landlords' loans, arises from our not having followed the advice of Mr. Senior and Mr. Pim, given more than thirty years ago, and from our having neglected the complaints of the Select Committee of the House of Lords of 1846, as to burdens on land.

Hence it is a matter of time and cost to know who is owner of a piece of land, and who can make a valid contract respecting it; for we have not adopted the Scotch principle, five hundred years old, of a lease taking priority of a landlord's incumbrance. We have legalized tenant-right; but have devised no means of enabling those who have invested their savings from good years in it, to use them in a bad year, without the burden of a high rate of interest.

We have cast the same burden on the small proprietors, created under the Church and Land Acts, and so have marred the contentment their creation was intended to produce.

When the reform I venture to recommend rests on the authority of the great Sir Robert Peel, Earl Russell, Lord Brougham, Lord Langdale, and Lord Romilly—when the object of it is to carry out the advice of Mr. Senior and Mr. Pim, and redress grievances so strongly condemned by a Committee of the House of Lords, so far back as 1846—the proposal creates no difficulty. If adopted, it would benefit small proprietors, large proprietors, and tenants alike; it would reduce the cost, delay, and interest of loans on land; it would be a useful adjunct to any plan of sale or purchase; whilst it does not touch the landlord and tenant question, which has become too much a subject of direct politics for present discussion in this Society:

it would lay a foundation for mitigating the struggle of classes by diminishing the pressure of costs, taxes, and interest upon each, by the simple process of adopting, in a matter pure economic science and law reform, the advice of some of the greatest economists and jurists of the present century.

Let those who think contentment is a matter of race or religion, and not of modern laws and institutions, study the system of local justice for the affairs of the humble suitors as provided in the Scotch courts; the Scotch Poor-law with its clerical guardians, its out-door relief to women and children, its right of judicial appeal to the humblest poor person against refusal of relief; the Scotch system of compulsory education in the vast majority of cases on the basis of religious education taught by the school-master; the Scotch law giving precedence to the contract of industry above the contract of extravagance; and the Scotch law for encouraging improvements, a law which preceded ours by more than a century. Then let him visit Braemar, as I did this year, so close to Balmoral, the highland residence of her Majesty, and see there the handsome Roman Catholic church, not for the tourists, but for the peasantry. He will learn that the Queen has been residing for years close to many of her Celtic Roman Catholic subjects, who were a century and a-half ago in rebellion against her ancestors.

One of these Scotch institutions—more perfect jurisdiction of local courts—both the papers to-night advise to be extended to Ireland. Why should there be any delay in extending at once to Ireland all that is best in Scotch and English institutions? Such assimilation would soften the differences of classes, prevent Irish affairs from being misunderstood in England and Scotland, and so facilitate the solution of the direct landlord and tenant question which I have felt myself precluded from discussing at the present time in this Society.

XIV—*Proceedings of the Statistical and Social Inquiry Society of Ireland.*

THIRTY-THIRD SESSION.—SIXTH MEETING.

[Tuesday, 25th May, 1880.]

The Society met at the Leinster Lecture Hall, 35 Molesworth-street, J. K. Ingram, LL.D. F.T.C.D. President, in the chair.

Dr. Hancock read a paper on "The Law Reforms which have been successfully advocated by the Trades Union Congress, and on the further Law Reforms which they now seek."

The ballot having been examined—John W. Jenings, Esq.; John Naish, Esq. Q.C.; Arthur W. Samuels, Esq. B.L.; and Charles Teeling Waters, Esq., were declared duly elected members of the Society.

SEVENTH MEETING.

[Tuesday, 6th July, 1880.]

The Society met at the Leinster Lecture Hall, 35 Molesworth-street, J. K. Ingram, LL.D. F.T.C.D. President, in the chair.

The Report of the results of the Barrington Lecture Examinations was read, and the Prizes and Certificates distributed to the successful pupils of the three classes held in Dublin—the Church of Ireland Young Men's Christian Association, Dawson-street; the Working Men's Club, Christchurch-place; and the Working Men's Club, 41 York-street.

Mr. Bates (for Mr. J. H. M. Campbell) read a paper entitled "A Notice of the Books and Pamphlets presented by the late Sir Thomas Larcom to the Society."

Dr. Hancock read a paper "On the Scotch part of the Poor Removal Question."

The ballot was then examined, and the following gentlemen were elected members of the Council for the ensuing session:—The Registrar-General; Professor Donnell; William Findlater, Esq. M.P.; David Ross, Esq. LL.B.; Professor J. J. Shaw; Frederick Barrington, Esq.; William H. Dodd, Esq.; John Henry Edge, Esq. J.P.; Murrough O'Brien, Esq.; Abraham Shackleton, Esq. J.P.; and Professor Sigerson, M.D.

THIRTY-FOURTH SESSION.—FIRST MEETING.

[Tuesday, 30th November, 1880.]

The Society met at the Leinster Lecture Hall, 35 Molesworth-street, E. D. Mapother, M.D., President, in the chair.

The President delivered the Inaugural Address.

The ballot having been examined—the Right Hon. Lord Ardilaun; the Right Hon. Lord Monteagle; John Givan, Esq. M.P.; E. F. Litton, Esq. Q.C. M.P.; George Moyers, LL.D. J.P.; Richard M. Dane, Esq. B.L.; Professor E. Dowden, T.C.D.; Professor D. B. Dunne; James S. Greene, Esq. Q.C.; Tooke C. Luscombe, Esq.; Frederick C. Pilkington, Esq.; Thomas Alexander O'Dell, Esq.; and Thomas L. O'Shaughnessy, B.L.; were declared duly elected members of the Society.

SECOND MEETING.

[Tuesday, 21st December, 1880.]

The Society met at the Leinster Lecture Hall, 35 Molesworth-street, Jonathan Pim, Esq. Ex-President, in the chair.

Mr. Alfred Webb read a paper on "Impediments to Savings by the Poor from cost and trouble of proving Wills."

Dr. Hancock read a paper on "The Cost and Delay in obtaining Loans on Land, and the high rate of Interest charged to Tenants for Loans."

The ballot having been examined, the following gentlemen were declared duly elected members of the Society :—J. J. Lalor, Esq. J.P. ; J. C. Wilson, Esq. ; G. J. Kennedy, Esq. J.P. ; and J. Mulligan, Esq. T.C.

THIRD MEETING.

[Tuesday, 25th January, 1881.]

The Society met at the Leinster Lecture Hall, 35 Molesworth-street, E. D. Mapother, M.D. President, in the chair.

Mr. Charles Eason, Jun., read a paper on “The Acts for taking the Census in England, Scotland, and Ireland, in 1881.”

Mr. A. H. Bates, B.L., read a paper on “The Irish Linen Laws, and proposed Amendments thereof.”

The ballot having been examined—W. J. Doherty, Esq. C.E., and James Creed Meredith, Esq. LL.D., were declared duly elected members of the Society.

STATISTICAL AND SOCIAL INQUIRY

Society of Ireland.

THE object of the Society is the promotion of the study of Statistics, Jurisprudence, and Social and Economic Science. The meetings are held in each month, from November to June (except March), inclusive, at a quarter-past 8 P.M.

The business is divided into the following departments :—

I. Jurisprudence and the Amendment of the Law, including the subjects of the Punishment and Reformation of Criminals ;

II. Social Science, including Education ; and Political Economy, including the principles of Trade and Commerce ;

III. Public Health and Sanitary Reform ;

and is transacted by members reading at the meetings of the Society written communications, in the discussion of the same, and the publication of the proceedings in such form as the Council may approve.

Any communication intended to be read to the Society should be sent to one of the Honorary Secretaries, at least one week before the days of Council meetings.

No communication is read unless the Secretaries, or two of them, certify that they consider it in accordance with the rules and objects of the Society. The Council thus sanction only the general scope of the papers ; but for any particular opinion, representation of facts, or train of reasoning in a paper or report the author is alone responsible. The reading of each paper, unless by express permission of the Council previously obtained, is limited to *half an hour*.

The observations of each member on the subject of any paper which has been read before the Society is limited to *seven minutes*.

Proposals of candidate members should be sent to the Secretaries at least a *fortnight* before the meeting.

The subscription to the Society is *One Pound* per annum, for *members*. Ladies, and any other persons resident beyond fifteen miles from Dublin, are admissible as *associates* at a subscription of *Ten Shillings*.

Societies are admissible in like manner into association with the Society, and shall have the privilege of nominating two members to attend all meetings open to associates ; and such Associated Societies shall be entitled to the same advantages as associates ; and if in Dublin, liable to a subscription of *One Pound*, and if elsewhere than in Dublin, liable to a subscription of *Ten Shillings*.

All communications to be addressed to the *Honorary Secretaries* :

W. NEILSON HANCOCK, LL.D.
64, Upper Gardiner-st.

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